

City of Capitola

Planning Commission Meeting Agenda

Thursday, September 01, 2022 – 7:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Peter Wilk

Commissioners: Courtney Christiansen, Ed Newman, Susan Westman, Mick Routh

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Planning Commission Meeting will be distributed to Commissioners to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Commissioners, nor be read by them prior to consideration of an item.

1. Roll Call

Commissioners Mick Routh, Courtney Christiansen, Ed Newman, Susan Westman, Peter Wilk

2. Oral Communications

A. Additions and Deletions to the Agenda

B. Public Comments

Please review the Notice of Remote Access for instructions. Short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes. Members of the public may speak for up to three minutes, unless otherwise specified by the Chair. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue.

C. Commission Comments

D. Staff Comments

3. Approval of Minutes

A. Approve May 5, 2022, Regular Planning Commission Meeting Minutes

B. Approve June 2, 2022, Regular Planning Commission Meeting Minutes

C. Approve July 21, 2022, Regular Planning Commission Meeting Minutes

4. Consent Calendar

All matters listed under "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for separate discussion will be considered in the order listed on the Agenda.

A. 1830 47th Avenue

Permit Number: #22-0239

APN: 034-022-35

Design Permit, Coastal Development Permit, and Tree Removal Permit for demolition of an existing residence and construction of a new single-story residence with an attached garage and ADU located within the R-1 (Single-Family Residential) zoning district. The project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to California Coastal Commission.

Environmental Determination: Categorical Exemption 15303

Property Owner: Alex Westervelt

Representative: Kieran Martin, Filed: 06.03.2022

5. Public Hearings

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Planning Commission Questions; 3) Public Comment; 4) Planning Commission Deliberation; and 5) Decision.

A. State Route 1 Auxiliary Lane Improvements

Permit Number: #22-0223

APN: N/A

Coastal Development Permit and Tree Removal Permit for auxiliary lanes, bus on shoulder improvements, replacement of the Capitola Avenue Overcrossing, new landscaping, and soundwalls. The project is located within the Coastal Overlay zone and partially within a Planned Development zoning district.

The project is located within the Coastal Zone and requires a Coastal Development Permit which is appealable to California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: FEIR CA Dept. of Transportation, May 2021

Property Owner(s): State of California and Capitola Knolls HOA

Representative: Sarah Christensen, RTC

6. Director's Report

7. Commission Communications

8. Adjournment

Notice of In-Person & Remote Access

Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010. In accordance with California Senate Bill 361, some members of the Planning Commission and City staff may be in attendance remotely.

Other ways to Watch:

- Spectrum Cable Television channel 8

- City of Capitola, California YouTube

Channel: <https://www.youtube.com/channel/UCJgSsB5qqoS7CcD8lq9Yw1g/videos>

To join Zoom Application or Call in to Zoom:

- Meeting

link: <https://us02web.zoom.us/j/84769092900?pwd=anpWVWlQamFzT3BGUm54QStJWlRdwQT09>

- Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**

- Meeting ID: **847 6909 2900**

- Meeting Passcode: **379704**

To make a remote public comment:

- **Via Zoom Application:** Use participant option to “raise hand”. The moderator will unmute you.

- **Via Zoom phone call:** Dial ***9** on your phone to “raise your hand”. The moderator will unmute you.

Appeals: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Design Permit, Conditional Use Permit, Variance, and Coastal Permit. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be in submitted writing on an official city application form, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.cityofcapitola.org/meetings. Need more information? Contact the Community Development Department at (831) 475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: www.cityofcapitola.org.

City of Capitola

Planning Commission Meeting Minutes

Thursday, May 05, 2022 – 7:00 PM

City Council Chambers
420 Capitola Avenue, Capitola, CA 95010



Chairperson: Peter Wilk

Commissioners: Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman

1. Roll Call

Chair Wilk called the meeting to order at 7 P.M. Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk were present.

2. Oral Communications

A. Additions and Deletions to the Agenda

Director Herlihy noted that additional comments were received for the 1515 Prospect Avenue and 106 Cliff Avenue applications.

B. Public Comments

C. Commission Comments

Chair Wilk expressed sympathy to all applicants who may have had delays and difficulties during the process. The process has gotten better over the years.

D. Staff Comments

Director Herlihy reported receipt of an appeal on 1410 Prospect Avenue and from the RTC. No date is set yet. Update will follow in the summer.

3. Approval of Minutes

A. Consider the March 3, 2022, Planning Commission - Regular Meeting Minutes

Recommended Action: Approve minutes.

B. Consider the March 31, 2022, Planning Commission - Special Meeting Minutes

Recommended Action: Approve minutes.

Chair Wilk clarified his input during the March 31, 2022, meeting deliberations as “sacrificing setback for parking”, rather than “sacrificing setback for three stories”.

Senior Planner Brian Froelich concurred; the updated Minutes are edited as clarified.

Motion: Approve the minutes from March 3, 2022, and March 31, 2022, Regular and Special Planning Commission Meetings.

Result: Approved, 5:0 (Unanimous)

Mover: Vice Chair Westman,

Second: Commissioner Christiansen.

Yea: Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk

4. Consent Calendar

A. 504 Oak Drive

Permit Number: #22-0142

APN: 035-09-325

Design Permit for an upper floor deck, landing, and spiral stairway in the rear yard of an existing nonconforming single-family residence located within the R-1 (Single-Family Residential) zoning district.

Environmental Determination: Categorical Exemption

Property Owner: Lori Mahan

Representative: Dennis Norton, Filed: 03.23.2022

Commissioner Westman requests that the consent items are separated as she needs to recuse.

Motion: Approve consent item 4A with the following conditions and findings:

Conditions of Approval

1. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission on May 5, 2022. All construction and site improvements shall be completed according to the approved plans.
2. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
3. Construction activity shall be subject to a noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. 9.12.010B

Planning

4. The project approval consists of construction of a 30 square foot upper floor deck, landing, and spiral stairway to an existing nonconforming single-family residence. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 5, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.
5. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

6. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code 17.156.080.
7. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
8. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
9. Prior to issuance of building permit, all Planning fees associated with permit #22-0142 shall be paid in full.
10. Exterior lights for the second story deck area shall comply with CMC Section 17.96.110 and be limited to the Building Code required minimum. Fixtures shall be shielded and directed downward to meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light and prevent light trespass on adjacent lots.

Design Permit Findings

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 30 square foot upper floor deck, landing, and stairway are consistent with the general plan and the local coastal program.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 30 square foot upper floor deck, landing, and stairway comply with all development standards of the R-1 (Single-Family Residential) zoning district.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence and accessory structures in a residential zone. This project involves a new egress installation for an existing single-family residence within the R-1 (single-family residence) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 30 square foot upper floor deck, landing, and stairway will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 30 square foot upper floor deck, landing, and stairway comply with the applicable design review criteria as described in the staff report.

F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the application for a landing, deck and stairway and have determined that the project is compatible with the existing neighborhood.

Result: Approved, 4:0 (Majority)

Mover: Commissioner Mick Routh

Seconded: Commissioner Christiansen

Yea: Commissioners Christiansen, Newman, Routh, Wilk

Recuse: Vice Chair Westman

B. 1515 Prospect Avenue

Permit Number: #22-0094

APN: 034-045-12

Design Permit amendment for additions and design modifications to a single-family dwelling with an ADU located within the R-1 (Single-Family Residential) zoning district.

This project is within the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Peter Shamshoian

Representative: Peter Shamshoian, Filed: 02.16.22

Commissioner Newman asked if any members of the public wanted to speak on the item or request the item be pulled from the Consent Calendar. No comments were received, and the public comment period was closed.

Motion: Approve the application with the following conditions and findings:

Conditions of Approval

1. The project approval consists of the construction of 365-square-feet of first- and second-story additions to a 1,440-square-foot, two-story, nonconforming, single-family residence, a new 540-square-foot accessory dwelling unit (approved ministerially under CMC §17.99.050(B)), and a minor encroachment permit for a 42-inch-tall stucco wall in the public right of way. The maximum Floor Area Ratio for the 3,200 square-foot property is 57% (1,824 square feet). The total FAR of the project is 56.4% with a total of 1,805 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 5, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permits #22-0094 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.

13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. Outdoor lighting shall comply with all relevant standards pursuant to Municipal Code Section 17.96.110, including that all outdoor lighting shall be shielded and directed downward.

Design Permit & CEQA Findings

- G. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff and the Planning Commission have reviewed the project. The proposed remodel of a single-family residence complies with the development standards of the R-1 zoning district.

- H. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff and the Planning Commission have reviewed the application for the remodel of a single-family residence. The project complies with all applicable provisions of the zoning code and municipal code.

I. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Section 15301(e) of the CEQA Guidelines exempts the additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. This project involves 365 square-feet of additions to an existing 1,440-square-foot single-family residence within the R-1 (Single-Family Residence) zoning district that will increase the floor area by 25%. No adverse environmental impacts were discovered during review of the proposed project.

J. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

Community Development Staff and the Planning Commission have reviewed the project. The proposed residential remodel will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

K. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

The Community Development Staff and the Planning Commission have reviewed the application. The proposed remodel complies with all applicable design review criteria in Section 17.120.070.

L. The proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff and the Planning Commission have all reviewed the application for the residential remodel. The design of the remodel with horizontal Hardie Board siding, Hardie Board fish scale tile at the gable ends, and new Brava slate tile roof will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

Result: Approved, 5:0 (Unanimous)

Mover: Commissioner Mick Routh

Second: Commissioner Christiansen

Yea: Commissioners Christiansen, Newman, Routh, Westman, Wilk

5. Public Hearings

A. 519 Monterey Avenue

Permit Number: #22-0032

APN: 034-022-03

Design Permit for a 140 square foot stacked addition to the ground and upper floors, upper floor decks off the front and rear of the residence, and an interior remodel in the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Boguslaw J. Marcinkowski

Representative: John Hofacre, Filed: 01.20.2022

Senior Planner Brian Froelich presented the application.

Boguslaw Marcinkowski expressed gratitude for the City support of his application.

Neighbor Elizabeth Bertrand expressed support of staff's recommendation for a reduced deck size as she feels it will stay quieter.

Architect John Hofacre, project representative, commented on the visual screens.

Chair Wilk clarified staff's opinion on preference for privacy mitigations presented.

Commissioner Newman asked for the applicant thoughts on the recommended changes.

Mr. Hofacre expressed that the modifications would be acceptable.

Mr. Marcinkowski concurred but expressed preference for plantings rather than raised balcony screening.

Commissioner Routh questioned if a six foot screen wall on both sides of the deck affords privacy.

Commissioner Westman stated that a seven-foot screen is more appropriate and eliminates the need for planting along fence.

Commissioner Newman did not wish to modify projects or restrict applications that complied with objective zoning standards.

Motion: Approve the application as originally submitted with the 12 foot deck and landscaping.

This was modified with acceptance of Commissioner Routh's amendment with added condition that both sides of the wall are made of opaque material.

Conditions of Approval

General

1. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission on May 5, 2022. All construction and site improvements shall be completed according to the approved plans.
2. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
3. Construction activity shall be subject to a noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. 9.12.010B

Planning

4. The project approval consists of construction of a 140 square foot first and second-story addition to an existing nonconforming single-family residence and new upper floor decks of 329 and 88 square feet. The maximum Floor Area Ratio for the 7,780-square-foot property is 48% (3,112 square feet). The FAR of the project is 30% with a total of 2,350 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 5, 2022, except as modified through conditions of approval or as required by the Planning Commission during the hearing.
5. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
6. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code 17.156.080.
7. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
8. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
10. Prior to issuance of building permit, all Planning fees associated with permit #22-0032 shall be paid in full.
11. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
12. Exterior lights for the second story deck areas shall comply with CMC Section 17.96.110 and be limited to the Building Code required minimum. Fixtures shall be shielded and directed downward to meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light and prevent light trespass on adjacent lots.
13. With the submittal of plans for Building Department plan check, the applicant shall reduce the projection of rear yard upper decks to a maximum of seven (7) feet from the building. The upper section of the privacy screen at the sides of the upper deck in the rear yard shall be the opaque frosted glass option.

14. The owner shall verify that all new fence, gate and columns are on the subject property or in the City Right of Way where approved by an Encroachment Permit.

Public Works

15. Submit a temporary construction sediment and erosion control plan (construction bmp's), The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
16. Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans.
17. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
18. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
19. Prior to any work in the City Road right of way, an encroachment permit shall be acquired by the contractor performing the work. All sidewalk, curb and gutter improvements shall be constructed per city standard. No material or equipment storage may be placed in the road right-of-way.

Design Permit Findings

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed 140 square foot addition and upper floor decks are consistent with the general plan and the local coastal program.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed 140 square foot addition with upper floor decks complies with all measurable development standards of the R-1 (Single-Family Residential) zoning district.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence and accessory structures in a residential zone. This project involves an addition to a single-family residence and new upper floor decks in the R-1 (single-family residence) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed 140 square foot addition and upper floor decks will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed 140 square foot addition with upper floor decks complies with the applicable design review criteria as described in the staff report and through conditions of approval.

F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the application for the proposed 140 square foot additions and upper floor decks. The design of the additions with a gable roof, composition shingles, and horizontal lap board siding, will blend appropriately with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

Results: Approved 4:1 (Majority)

Mover: Commissioner Christiansen

Second Commissioner Routh.

Yea: Commissioners Christiansen, Newman, Routh, Chair Wilk

Nay: Commissioner Westman

B. 106 Cliff Avenue

Permit Number: #21-0404

APN: 036-112-17

Design Permit and Historical Alteration Permit for additions to a historic single-family residence, a new detached single-story accessory structure that includes an accessory dwelling unit (ADU) and garage, and Variances for the maximum height of the primary structure and the maximum Floor Area calculation. The permit includes the demolition of two non-historic accessory structures behind the primary residence. The project is located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Sam Abbey

Representative: Cove Britton, Filed: 09.07.21

Associate Planner Sean Sesanto presented the report.

Chair Wilk questioned why staff did not have the same recommendation for all variance requests, and if the chimney could also be considered a special circumstance.

Planner Sesanto stated that staff recommended denial of the chimney variance because it was considered a conjectural feature by the architectural historian.

Commissioner Routh felt that the proposed chimney was consistent with the architectural style and potentially supportable if a variance is similarly justified for the building height.

Architect representing the applicant, (Sam Abbey), expressed support for staff report.

Neighbor John Glina expressed concern about second floor deck and asked that an alternative arrangement be considered.

Project representative Cove Britton noted that there was already one chimney along Cliff Avenue that exceeded the height limit.

Commissioner Westman complimented the overall designed and felt there may be grounds for the chimney variance.

Commissioner Newman approved of the design and the variance for the attic space but agreed with staff against a variance for the chimney.

Commissioner Christensen felt the proposed chimney was compatible with the architectural style and supported the applicant's proposal.

Commissioner Routh concurred with Commissioners Wilk and Christensen regarding the overall design and supported the chimney.

Commissioner Wilk spoke on all the variances and felt that they would not constitute a grant of special privilege.

There appear to be a consensus among the majority of Commissioners in support of the project.

Motion: Approve the project to include all proposed variances with findings that the variances do not constitute a grant of special privilege.

Conditions of Approval

1. The project approval consists of construction of a 673 square-foot first- and second-story additions to an existing historic residence, the demolition of two accessory structures, and the construction of a new accessory structure that includes a 718 square-foot accessory dwelling unit and 457 square-foot garage. The approval includes a variance for the second-story additions to exceed the maximum height, and a variance for the floor area calculation of the forward two sections of the third-story, and a variance but does not include the approval of a variance for the primary dwelling chimney. The maximum Floor Area Ratio for the 7,095 square foot property is 47.9% (3,399 square feet). The total FAR of the project is 47.9% with a total of 3,399 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 5, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.

4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #21-0404 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B

15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, the applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 5 trees to be removed from the property. Replacement trees shall be planted at a 2:1 ratio or so as to meet the minimum lot canopy coverage of 15 percent. Required replacement trees shall be of the same size, species and planted on the site as shown on the approved plans. Any modifications to the tree plan must be approved by the Community Development Department.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
22. Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The accessory dwelling unit may not be used for vacation rentals; and
 - b. The secondary dwelling unit shall not be sold separately from the primary dwelling.
23. Prior to issuance of building permits, the plans must be revised to provide scaled elevations of the new accessory dwelling unit and garage. The detached accessory dwelling unit and garage may not exceed the allowed heights by the Planning Commission. The ADU chimney shall not exceed 19 feet in height and all other appurtenances shall be consistent with development standards for allowed projections stated in Table 17.48-1.

24. Prior to issuance of building permits, the plans must show that the ADU chimney is not wood-burning.
25. Prior to issuance of a building permits, the applicant shall submit a preservation plan to the satisfaction of the Community Development Department. In addition to Condition #27(a), the plan shall include:
 - a. The details of the porch replacement and first-floor windows, including the type/configuration of the windows and the type/style of the wood columns. The information for the porch detail shall be based on the photographic evidence which exists.
 - b. Provide dimensions of the rear addition's existing and proposed wood wall cladding, including the proposed upper-floor shingle pattern and the proposed lower-floor wood siding exposure width to ensure it differentiates from the historic house.
26. Secretary of the Interior's Standards and Guidelines for preservation, rehabilitation, restoration, or reconstruction shall be followed.
 - a. Prior to the remodel of the historic residence, the applicant shall catalog all existing details of the structure. Once the existing structure is ready to be remodeled, the applicant is required to have an inspection by the City Planner and Building Inspector to ensure all existing materials are documented in accordance with the preservation plan. Existing materials must be stored in a weatherproof area.
 - b. Any removal of existing building materials or features on historic buildings shall be approved by the Community Development Department prior to removal.
 - c. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Community Development Department for further direction, prior to construction.

Design Permit Findings

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff and the Planning Commission have reviewed the proposed additions to an existing residence, a replacement garage, and new accessory dwelling unit. With the granting of a variance to the maximum height of the roof on the primary residence, the project secures the purpose of the General Plan, and Local Coastal Program, and design policies and regulations adopted by the City Council.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff and the Planning Commission have reviewed the application for additions to an existing residence, a replacement garage, and new accessory dwelling unit. With a granting of a variance to the maximum height of the roof on the primary residence, the project complies with all applicable provisions of the zoning code and municipal code.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15332 of the CEQA Guidelines exempts in-fill development projects which comply the described conditions. This project involves additions to an existing residence, a replacement garage, and new accessory dwelling unit within the R-1 (Single-Family Residential) zoning district. The project meets all applicable general plan policies and zoning regulations; the project site does not have any identified habitat value; the project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site is and can be adequately served by all required utilities and public services.

D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

Community Development Staff and the Planning Commission have all reviewed the reviewed the application. The proposed additions, replacement garage, and new accessory dwelling unit will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

The Community Development Staff and the Planning Commission have reviewed the application. With the granting of a variance to the maximum height of the roof on the primary residence, the proposed complies with all applicable design review criteria in Section 17.120.070.

F. The proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff and the Planning Commission have all reviewed the application. The design of the remodeled historic residence and new accessory dwelling unit and garage will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

Variance Findings

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

Roof and Floor Area Ratio: The unique circumstance applicable to the subject property is that the existing residence is historic and protected within the municipal code and under CEQA. The existing residence is also on a gently sloped lot with a difference of two feet and features a raised ground floor level with steeply pitched rooves which impose difficulties in designing second-story additions that comply with height limitations and blend with the historic design. The variances would allow additions to the home while complying with the Secretary of Interior Standards for historic preservation.

Chimney: The proposed brick chimney meets the same unique circumstance and is a feature found on other examples of Queen Anne style homes.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Roof and Floor Area Ratio: Most properties have more design options at their disposal in meeting height standards, including the redesign of existing roof pitches. To substantially preserve and compliment the character-defining roof, the applicant has

designed the project to match the existing roof pitch and style. The existing third-story rooms are calculated as floor area within Capitola Municipal Code but with exception to the rearmost space, do not provide additional habitable space. The roof heights cannot be modified to either increase habitable function or lowered to be exempted as floor area, therefore the strict application of zoning code requirements would deprive the subject property of development potential enjoyed by other properties in the same zone. Chimney: The structure cannot comply with building code requirements without exceeding building height; therefore, the strict application of the zoning code requirements would deprive the subject property.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

Roof and Floor Area Ratio: Second-story additions to residences are commonplace within the City. The variance requests are necessary to preserve the right to expand the residence within all other development standards.

Chimney: The variance is necessary to preserve a substantial property right. Wood burning fireplaces are typical of the vicinity, zoning district, and homes of similar age. Building Code requires minimum clearances from adjacent roof structures. The existing roof is taller than allowed by the zoning district but contributes to the character of the historic building. A taller chimney is required to comply with Building Code.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.

Roof, Floor Area Ratio, and chimney: The variance request will not negatively impact the public, properties, or improvements in the vicinity or in the same zone as the subject property.

E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

Height: Of the eight residential properties along the street, 106 Cliff Avenue is one of three that exceed the 25 foot height limitation.

Floor Area Ratio: Although staff did not identify nearby properties that exceed the FAR, there are unique circumstances that directly relate to the third story spaces and the preservation of the historic roofline such that it cannot be modified. A variance specific to the floor area of the forward two third-story spaces would allow the property to be developed in a manner consistent with other properties in the vicinity, therefore it does not constitute a grant of special privilege.

Chimney: The applicant is proposing a chimney that exceeds 41 feet in height measured from grade. The nearby historic structure at 114 Cliff Avenue has a large chimney that measures approximately 30 feet from grade. The grant of a variance to allow the chimney is proportional to the height of the building with clearances required by Building Code and would not constitute a special privilege.

F. The variance will not have adverse impacts on coastal resources.

Roof, Floor Area Ratio, and chimney: The variance request will not negatively impact coastal resources.

Historic Alteration Findings

- A. The historic character of a property is retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property is avoided.**

Community Development Staff and the Planning Commission have reviewed the proposed remodel of the historic structure and determined the majority of additions are located such that they limit publicly visible alterations that would impact the historic character and the structure will retain the character-defining features identified by the architectural historian.

- B. Distinctive materials, features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property are preserved.**

Community Development Staff and the Planning Commission have reviewed the proposed project and determined that distinctive design will be preserved by preserving the distinctive wood shingle siding, wood-sash windows, and complex roof massing.

- C. Any new additions complement the historic character of the existing structure. New building components and materials for the addition are similar in scale and size to those of the existing structure.**

Community Development Staff and the Planning Commission have reviewed the proposed additions to the structure and determined that they are focused to the rear of the structure. Work to the most publicly visible east and south elevations is focused on restoration of the original design and removal of conjectural windows.

- D. Deteriorated historic features are repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature matches the old in design, color, texture, and, where possible, materials.**

Community Development Staff and the Planning Commission have reviewed the proposed project and determined that historic features will be preserved, reused, and repaired to the extent possible. The applicant is proposing to replace existing siding only as necessary due to deterioration or approved additions. Original siding and windows removed due to additions will be reused on the structure where possible. Replacements shall be done to match.

- E. Archeological resources are protected and preserved in place. If such resources must be disturbed, mitigation measures are undertaken.**

Community Development Staff and the Planning Commission have reviewed the proposed involves additions to an existing residence, a replacement garage, and new accessory dwelling unit and determined it will not impact archeological resources.

Coastal Findings

- A. The project is consistent with the LCP land use plan, and the LCP implementation program.**

The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

- B. The project maintains or enhances public views.**

The proposed project is located on private property at 106 Cliff Avenue. The project will not negatively impact public landmarks and/or public views.

- C. The project maintains or enhances vegetation, natural habitats and natural resources.**

The proposed project is located at 106 Cliff Avenue. The residence is not located in an area with coastal access. The residence will maintain or enhance vegetation consistent with the allowed use and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves additions to an existing residence, a replacement garage, and new accessory dwelling unit, which will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves additions to an existing residence, a replacement garage, and new accessory dwelling unit, which will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves additions to an existing residence, a replacement garage, and new accessory dwelling unit, which will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed residential project complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the R-1 (Single-Family Residential) zone.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves additions to an existing residence, a replacement garage, and new accessory dwelling unit, on a residential lot of record. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the R-1 zoning district.

Result: Approved, 4:1 (Majority)

Mover: Commissioner Christiansen

Second: Commissioner Routh

Yea: Commissioners Christiansen, Westman, Routh, Wilk

Nay: Commissioner Newman

6. Director's Report

Director Herlihy reported that City Council reviewed the temporary outdoor dining on April 28, 2022, and had it extended with additional requirements. Maintenance deposit and monthly fee is required.

7. Commission Communications

Commissioner Newman referenced the status of the compliance of vacation rental tax requirements.

Director Herlihy reported on update, including the hiring of Consultant HDL. Additional updates will follow.

8. Adjournment

The meeting was adjourned at 8:20PM to the next Regular Meeting of the Planning Commission on June 2, 2022.

ATTEST/Approved by the Planning Commission

Louis Osemwegie, Clerk to the Commission

City of Capitola

Planning Commission Meeting Minutes

Thursday, June 02, 2022 – 7:00 PM

City Council Chambers
420 Capitola Avenue, Capitola, CA 95010



Chairperson: Peter Wilk

Commissioners: Courtney Christiansen, Ed Newman, Susan Westman, Peter Wilk

1. Roll Call

Chair Wilk called the meeting to order at 7 P.M. Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk were present.

2. Oral Communications

None

A. Additions and Deletions to the Agenda

Senior Planner Brian Froelich noted that Community Development Director Katie Herlihy is unavailable and he is filling in for her.

B. Public Comments

None

C. Commission Comments

None

D. Staff Comments

None

3. Approval of Minutes

A. Consider the April 7, 2022, Planning Commission Meeting Minutes

Recommended Action: Approve minutes.

B. Consider the April 21, 2022, Planning Commission Special Meeting Minutes

Recommended Action: Approve minutes.

Motion: Approve the minutes from April 7, 2022, and April 21, 2022, Regular and Special Planning Commission Meetings.

Result: Approved (Unanimous)

Motion made by: Vice Chair Westman,

Seconded by Commissioner Routh.

Voting Yea: Chair Wilk, Vice Chair Westman, Commissioner Christiansen, Commissioner Newman, Commissioner Routh

4. Consent Calendar

Motion: Approve the consent calendar items with the recommended conditions and findings.
Result: Approved, 5:0 (Unanimous)

Motion made by Commissioner Routh

Seconded by Vice Chair Westman.

Voting Yea: Chair Wilk, Vice Chair Westman, Commissioner Christiansen, Commissioner Newman, Commissioner Routh

A. 110 Capitola Avenue Ste. 3

Permit Number: 22-0123

APN: 035-185-25

Sign Permit for a new Wall Sign to serve Boba Bay located within the MU-V (Mixed Use Village) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Todd Gummow

Representative: Cheryl Schneider, Filed: 03.18.22

Conditions of Approval:

1. The project approval consists of a 8-square-foot wall sign for Boba Bay at 110 Capitola Avenue Suite 3. The proposed project is approved as indicated on the final plans and photos and approved by the Planning Commission on June 2, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes shall require Planning Commission approval.
3. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
4. Prior to installation of the wall sign, the window sign shall be removed.
5. Compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
6. A building permit shall be secured for any work authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
7. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

8. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

Sign Permit Findings:

- A. The proposed signs are consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**
Community Development Staff and the Planning Commission have reviewed the project. The proposed wall sign complies with the development standards of the MU-V (Mixed Use Village) zoning district.
- B. The proposed signs comply with all applicable standards in Chapter 17.80 (Signs).**
Community Development Staff and the Planning Commission have reviewed the application for the wall sign. The proposed project will maintain the character and integrity of the neighborhood.
- C. The proposed sign will not adversely impact the public health, safety, or general welfare.**
Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposed sign will not have adverse impact on public health, safety, or general welfare.
- D. The number, size, placement, design, and material of the proposed signs are compatible with the architectural design of buildings on the site.**
Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposal is compatible with the architectural design of the building(s) on the site.
- E. The proposed signs are restrained in character and no larger than necessary for adequate identification.**
Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposal is restrained in character and complies with zoning limitations for size.
- F. This project is categorically exempt under Section 15311(a) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15311(a) of the CEQA Guidelines exempts on-premise signage for existing facilities. This project involves wall sign for an existing structure within the MU-V (Mixed Use Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

B. 318 Park Avenue Permit Number: #22-0107 APN: 036-094-13

Design Permit to remodel a detached garage to include a two-story Accessory Dwelling Unit located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Bruce and Tami Corum

Representative: Bruce and Tami Corum

Conditions of Approval:

1. The project approval consists of the remodel of an existing detached garage to expand the garage area and include a 473 square-foot second-story accessory dwelling unit (ADU) above. The

project is in compliance with the development standards in CMC Chapter 17.74. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 2, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At the time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, all Planning fees associated with permit #22-0107 shall be paid in full.
7. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
8. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
9. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
10. Site runoff shall not drain onto the adjacent parcels.
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B

14. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
15. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
16. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.
17. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
19. Outdoor lighting shall comply with all relevant standards pursuant to Municipal Code Section 17.96.110, including that outdoor lighting be shielded and directed downward.
20. Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The accessory dwelling unit may not be used for vacation rentals; and
 - b. The accessory dwelling unit shall not be sold separately from the primary dwelling.

Accessory Dwelling Unit Design Permit Findings:

- A. The exterior design of the accessory dwelling unit is compatible with the primary dwelling on the parcel through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.**
The proposed ADU utilizes a combination vertical board siding with colors similar to the primary dwelling and a 4:12 roof pitch. The exterior design is compatible with the primary dwelling on the parcel.
- B. The exterior design is in harmony with, and maintains the scale of, the neighborhood.**
The proposed ADU utilizes materials and a two-story building form common within the neighborhood. Also, the ADU complies with the 22-foot maximum ADU height limit and is well within the zone height limit of 25. Therefore, the exterior design is in harmony with, and maintains the scale of the neighborhood.
- C. The accessory dwelling unit will not create excessive noise, traffic, or parking congestion.**
The proposed project is a single-bedroom ADU on a site that is adequately parked. The ADU will not create excessive noise, traffic, or parking congestion.

D. The accessory dwelling unit has or will have access to adequate water and sewer service as determined by the applicable service provider.

The proposed ADU is located on a developed lot in a residential neighborhood with adequate water and sewer service.

E. Adequate open space and landscaping have been provided that are usable for both the accessory dwelling unit and the primary residence. Open space and landscaping provide for privacy and screening of adjacent properties.

The proposed project provides adequate open space for the accessory dwelling unit and the primary residence. The second-story deck serves as both access and dedicated private open space for the ADU. The deck includes privacy screening towards the nearest property to the east.

F. The location and design of the accessory dwelling unit maintain a compatible relationship to adjacent properties and do not significantly impact the privacy, light, air, solar access, or parking of adjacent properties.

The proposed ADU is located in the rear of the property. Potential impacts to privacy, light, air, solar access, and parking have been considered and mitigated. The location and design of the ADU maintains a compatible relationship with adjacent properties.

G. The accessory dwelling unit generally limits the major access stairs, decks, entry doors, and major windows to the walls facing the primary residence, or to the alley if applicable. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory dwelling unit complements the design of the primary residence and does not visually dominate it or the surrounding properties.

The external staircase to the proposed second-story ADU faces the interior of the lot and the primary residence. Windows facing adjacent properties are either clerestory or opaque. The design of the ADU, with siding materials similar to the primary residence and similar roof pitch, complements the design of the primary residence and does not visually dominate it or the surrounding properties.

H. The site plan is consistent with physical development policies of the general plan, any area plan or specific plan, or other city policy for physical development. If located in the coastal zone, the site plan is consistent with policies of the local coastal plan. If located in the coastal zone and subject to a coastal development permit, the proposed development will not have adverse impacts on coastal resources.

The location of the proposed ADU complies with the development standards in CMC §17.74.080. The project is within the coastal zone and complies with the local coastal plan.

I. The project would not impair public views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan restores and enhances the visual quality of visually degraded areas.

The project does not impair public views of the ocean or scenic coastal areas.

J. The project deviation (if applicable) is necessary due to special circumstances applicable to subject property, including size, shape, topography, location, existing structures, or surroundings, and the strict application of this chapter would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

Not applicable. The project does not include deviations.

Coastal Development Permit Findings:

A. The project is consistent with the LCP land use plan, and the LCP implementation program.

The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project is located on private property at 318 Park Avenue. The project will not negatively impact public landmarks and/or public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project is located at 318 Park Avenue. The proposed accessory dwelling unit (ADU) will maintain or enhance vegetation consistent with the allowed use and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves an ADU and will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves an ADU and will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves an ADU and will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed residential project complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the R-1 (Single-Family Residential) zone.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves an ADU on a residential lot of record. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the R-1 zoning district.

5. PUBLIC HEARINGS**A. 4800 Opal Cliff Drive**

Permit Number: #21-0011

APN: 034-462-05

An application for a Conditional Use Permit and Coastal Development Permit amendments (Permit #97-88) for repair and maintenance of an existing coastal protection structure located within the RM-M (Multi-Family Residential, Medium Density zoning district and the CZ (Coastal Overlay) zone.

This project is in the Coastal Zone and requires a Coastal Development Permit that is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption 15301 (Class 1), 15302 (Class 2), 15304 (Class 4)

Property Owner: Eliot Beja

Representative: Diedre Hamilton, Filed: 01.22.2021

Senior Planner Brian Froelich presented the report.

Recommended action: Approve project #21-0011 based on conditions of approval and findings

Commissioner Westman asked clarifications about grass-herbicide use, and repairs.

Chair Wilk asked about the prior 1998 approval of the structure, and what happens after 50 years.

Attorney Leila Moshref-Danesh (City Attorney Office) stated that a 50-year lifespan is the expectation that the structure will be viable for a 50-year period provided it is maintained, and after that period the structure's condition may necessitate replacement or removal. It does not preclude repairs or maintenance.

Chair Wilk asked for clarification on who determines what constitutes repair work.

Deidre Hamilton, project representative, described the work and provided context on the project and the effort that she had undertaken, including working directly with City and Coastal Commission staff. Her understanding of Coastal approvals was that the 50-year period was to establish a minimum expected life of structure and not a sunset clause. She stated that maintenance and monitoring agreements were commonplace in these circumstances to administratively allow minor work and achieve appropriate life of structure.

Chair Wilk expressed zoning and aesthetic concerns about the project.

Commissioner Newman observed that the Planning Commission is enforcing the Coastal Act as it applies to the Local Coastal Plan. If the Coastal Commission approved of this, Capitola has no reason not to. He recommended that the Planning Commission follow the Coastal Commission on the application, but recommended the City Attorney should do one more review of the draft.

Commissioner Westman concurred with Commissioner Newman's comments and felt the scope of work was minor and expected if the structure was to meet the intended life of structure.

Leila Moshref-Danesh confirmed that the City Attorney's Office will review the document language to make it cleaner but will make no changes to the substance.

Motion: Approve the project with the recommended conditions and findings, and direct staff to have the City Attorney's Office review the maintenance and monitoring agreement.

Conditions of Approval

1. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission on June 2, 2022. All construction and site improvements shall be completed according to the approved plans.
2. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
3. Construction activity shall be subject to a noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official.

Planning

4. The project approval consists of construction of conditional use permit, and coastal development permit amendments to permit #97-88 for repair and maintenance of an existing coastal protection structure. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 2, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.

5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to project scope shall require Planning Commission approval.
6. Prior to issuance of a building permit, all Planning fees associated with permit #21-0011 shall be paid in full.
7. Prior to Final Inspection by the Planning Department, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or may file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
8. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit issued before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration.
9. This permit is transferable with the title to the underlying property such that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
10. The applicant shall remove the graffiti on all portions of the blufftop or blufftop walls, prior to the satisfaction of the Community Development Director, prior to Planning Department final inspection.
11. The applicant shall remove all broken off wall debris from the beach and bluff, prior to Planning Department final inspection.
12. To the extent practicable, vegetation removal and maintenance activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If maintenance or vegetation removal cannot be performed during this period, pre-maintenance surveys will be performed no more than two days prior to beginning work activities to locate any active nests as follows: The owner/applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 300' for active nests—with particular emphasis on nests of migratory birds—if maintenance (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the project owner/applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.
13. The applicant and City of Capitola shall execute and record the maintenance and monitoring agreement prior to issuance of Building Permit for the proposed maintenance and repair.
14. The shotcrete used for repair shall match the color and texture of the existing shotcrete wall.

Public Works

15. At the time of submittal for building permit review, a sediment and erosion control plan (construction BMP's), including equipment and stockpile location and protection, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
16. At the time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
17. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
18. Prior to a Public Works final inspection, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.

Coastal Findings

- A. The project is consistent with the LCP land use plan, and the LCP implementation program.**
The proposed project conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.
- B. The project maintains or enhances public views.**
The proposed project has no permanent impact on view or coastal access.
- C. The project maintains or enhances vegetation, natural habitats and natural resources.**
The proposed project will have a minimal impact to existing with Pampas Grass to be removed above the root. Pampas Grass is nonnative and is a "recommended to avoid" plant species by the Department of Fish and Wildlife. Condition of approval #12 requires the applicant to avoid repairs during the nesting season or hire a qualified biologist to survey any nesting activity in the area prior to start of work.
- D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.**
The project has no impact on recreation access or cost.
- E. The project maintains or enhances opportunities for visitors.**
The project has no impact on visitors and opportunity.
- F. The project maintains or enhances coastal resources.**
The proposed wall repair is intended to maintain the bluff and minimize erosion.
- G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.**
The proposed wall repair will not be noticeable from offsite when compared to the conditions since 1998. There are no significant design or operational impacts associated with the repair.
- H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).**
The project will not obstruct public access and has no impact on recreation or visitor opportunities and experiences. Short term mobilization impacts will be minimal and only impact the project site

Result: Approved, 5:0 (Unanimous)

Mover: Vice Chair Westman

Second: Commissioner Routh.

Yea: Chair Wilk, Vice Chair Westman, Commissioner Christiansen, Commissioner Newman, Commissioner Routh

6. Director's Report

Brian provided update that the Outdoor Dining Ordinance will be agendized for the Coastal Commission's review on June 10, 2022.

7. Commission Communications

None

8. Adjournment

The meeting was adjourned at 7:38PM to the next Regular Meeting of the Planning Commission on July 21, 2022.

ATTEST/Approved by the Planning Commission

Louis Osemwegie, Clerk to the Commission

City of Capitola

Planning Commission Meeting Minutes

Thursday, July 21, 2022 – 7:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Mick Routh

Commissioners: Courtney Christiansen, Ed Newman, Susan Westman, Peter Wilk

1. Roll Call

Chair Wilk called the meeting to order at 7 P.M. Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk were present.

2. Oral Communications

None

A. Additions and Deletions to the Agenda

Community Development Director Katie Herlihy noted for the record that there are two additional public comments for item 6D, (720 Hill Street), since the packet was released: an email from a neighbor, and a response to it from the hotel owner.

B. Public Comments

None

C. Commission Comments

None

D. Staff Comments

Community Development Director Katie Herlihy noted that City Council will be going back to in person/hybrid meeting Sept. 1, 2022. Planning Commission feedback is welcome.

There was a consensus among the Commissioners on Planning Commission in person/hybrid meeting starting Sept. 1, 2022.

4. Approval of Minutes

None

5. Consent Calendar

None

6. Public Hearings

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Planning Commission Questions; 3) Public Comment; 4) Planning Commission Deliberation; and 5) Decision.

A. Blanket CDP and Design Permit for Prototype Street Dining Deck in Central Village

Permit Number: #22-0140

Location: Up to 25 public parking spaces in the Central Village

Blanket Coastal Development Permit and Design Permit for Capitola's prototype street dining deck design which may be utilized by Eating and Drinking Establishments in the Central Village.

Environmental Determination: Categorically Exempt

Property Owner: City of Capitola

Representative: Katie Herlihy, Community Development Director

Community Development Director Katie Herlihy presented the report, requested feedback, and recommended the Planning Commission approve a blanket CDP and Design Permit for Capitola's prototype street dining deck design.:

Planning Commission Consultants, Michael Arnone, and Jennifer Coifer offered details on concrete planters, railings, and perimeters, relative to space, seating arrangements and sidewalk.

Reef Dog Deli commented on plants' sustainability; growth for the planter boxes must provide green and beauty; low water, yet sustainable.

Linda Smith commented that indoor dining will be less in use in the post-covid era. Also, standard heaters are more efficient than flame heaters.

Associate Planner Sean Sesanto read a written comment from Bob Lashley into the record.

Commissioner Routh discussed outdoor heaters and suggested specific requirements for which kind are allowed.

Commissioner Christiansen noted that the outdoor planters and rails should be consistent, uniform, and intentional. She was supportive of concrete planters. No preference on heaters.

Commissioner Newman cautioned against too much uniformity as Capitola has a more of an eclectic community.

Commissioner Westman felt that dining deck signage should be limited to the side facing the sidewalk and that all elements of the dining deck should remain on the deck and not be placed onto the adjacent sidewalk area. She expressed support for requiring concrete planters for a consistent level of quality.

Chair Wilk agreed with using concrete planters.

There was a consensus among all Commissioners on requiring concrete planters, fewer types of allowed plant options, require utilizing the recommended street furniture manufacturers, signage placement be limited to facing the sidewalk; not to limit heater type, and that bicycle parking be open to the public.

Motion: Approve the blanket coastal development permit, as well as the design permit for the prototype design with the added conditions as reviewed.

Result: Approved 5:0 (Unanimous)

Mover: Commissioner Routh

Second: Commissioner Westman

Yea: Commissioners Wilk, Westman, Christiansen, Newman, Routh

Conditions of Approval

1. The project approval consists of a blanket Coastal Development Permit and a Design Permit for a prototype street dining deck utilizing the design that has been authorized by the Planning Commission on July 21, 2022. The proposed prototype design is approved as indicated on the final plans reviewed and approved by the Planning Commission, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Eating and drinking establishments within the mixed use village with parking spaces along the frontage may apply for an administrative permit for use of the blanket Coastal Development Permit and Design Permit approved by the Planning Commission. All administrative permits are subject to the conditions of approval of the blanket Coastal Development Permit and Design Permit. The administrative permit approval is transferable between owners so an approved street dining deck design and CDP may be conveyed or assigned by the applicant during a sale to the new property owner without losing the approval. The permit cannot be transferred off the parking space on which the approval was granted.
3. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the prototype design plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
4. Prior to issuance of a building permit, the applicant shall complete a revocable encroachment agreement, in a form provided by the Public Works Department, for all approved privately installed improvements within the unutilized street right-of-way.
5. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B.
6. Prior to a certificate of occupancy, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
7. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
8. The street dining deck must be constructed consistent with a prototype design approved by the City and received all necessary permits and authorizations.
9. The street dining deck must comply with all applicable requirements of Capitola Municipal Code Section 17.96, the Zoning Code, and all other applicable laws, administrative policies, rules, and regulations.

10. The street dining deck is consistent with the Local Coastal Program and will not adversely impact coastal resources, coastal access, and coastal views.
11. The street dining deck must utilize high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.
12. The street dining decks must use the prototype street dining deck design authorized by a valid coastal development permit and shall be subject to the prototype street dining deck coastal development permit findings and conditions.
13. CDP Recertification Requirement. All CDPs issued for outdoor dining permits shall require recertification by the City Council no later than three years after the CDP is issued, and every five years thereafter. Recertification shall require a public hearing before the City Council. City staff will initiate the recertification process by providing notice to the Applicant of the hearing date, at least thirty (30) days in advance of the public hearing. For a CDP to be recertified, the City Council must find that the subject project is operating in compliance with the findings and conditions of the CDP and in compliance with the LCP. The City Council may recertify, modify, or revoke the CDP. The City Council's decision shall be a final action. The project applicant, any aggrieved person, or any two members of the Coastal Commission may appeal the City Council decision. Appeal procedures for coastal development permits shall be as specified in Section 17.44.150.
14. Signs. One business identification sign and one menu sign each not to exceed two square feet are allowed per street dining deck. The signs shall be oriented toward the sidewalk, not the street.
15. Stormwater Drainage. All street dining decks must allow for adequate stormwater drainage. Dining decks shall not block the drainage flow along the gutter line. Dining decks shall not block access into any drain inlet or other drainage/stormwater facility.
16. Utilities. All outdoor dining shall not interfere with utility boxes, water hydrants, storm drains, and all other related facilities.
17. Trash and Maintenance. An outdoor dining area in the public right-of-way shall be maintained in a clean and safe condition as determined by the City, including as follows:
 - a. All trash shall be picked up and properly disposed of.
 - b. All flower boxes and planters shall contain live, healthy vegetation.
 - c. All tables, chairs, equipment, and structures must be kept clean and operational.
18. Materials and Furniture. All infrastructure related to the street dining deck, including but not limited to tables, chairs, umbrellas, lights, heating equipment, etc. must be maintained. If signs of weathering (fading, rust, holes, etc.) are visible, the item(s) shall be replaced immediately. Faded umbrellas shall be replaced with a UV rated fabric and not include logos, labels, or advertising. The prototype design includes furniture option by Emu, Tolix, and BFM. The three furniture companies produce many styles, colors, and materials of commercial rated outdoor furniture. Restaurants may choose the style, color, and material of commercial rated outdoor furniture from either company.
19. Stanchions. The portable stanchions and ropes shall not encroach into the sidewalk. They must be located on the street dining deck.
20. Sound. Music and amplified sound are not allowed in an outdoor dining area.
21. Bicycle Parking. A street dining deck that eliminates an on-street parking space must include a bicycle parking rack integrated in the street dining deck design or within the private property of the eating or drinking establishment. The bicycle parking rack must provide a minimum of two

bicycle parking spaces for each eliminated vehicle parking space. As an alternative to providing the bicycle parking rack, the applicant may pay an in-lieu fee for a central bicycle parking location. Bicycle parking required for the street dining decks is public bicycle parking available to any member of the public. Bicycle parking shall not limited to patrons of the eating and drinking establishment.

22. Hours of Operation. Outdoor dining may occur between 7 a.m. and 10 p.m. seven days a week. The city may allow extended hours for street dining decks for special events and holidays.
23. Open for Use. All outdoor dining in the public right-of-way must be open for use a minimum of five days per week, except in cases of inclement weather. "Open for use" means that the eating or drinking establishment must have tables ready for customers to use the outdoor dining area when the establishment is open for business.
24. All street dining facilities may be subject to inspection by the City on an annual basis or as needed to ensure compliance with this section, conditions of approval, and administrative procedures.
25. Planters. The prototype street dining decks shall be planted with plants identified in the prototype street dining deck plant options list.
26. Heaters. Each street dining deck may have free standing heaters. The free standing heaters shall be uniform and match within each dining deck. The details of the street heaters shall be submitted with the building permit application. The prototype design does not dictate the manufacturer or design of street heater other than it must be free standing.

Design Permit Findings

- A. **The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff and the Planning Commission have reviewed the project. The proposed prototype street dining deck complies with the development standards of the mixed use village zoning district. Specifically, all of the requirements of Capitola Municipal Code §17.74.060 have been met. The project secures the purpose of the General Plan, and Local Coastal Program, and design policies and regulations adopted by the City Council.

- B. **The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff and the Planning Commission have reviewed the application for the prototype street dining deck design. The project complies with all applicable provisions of the zoning code and municipal code.

- C. **The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15305 (class 5) and 15311 (class 11) of the CEQA Guidelines exempts minor alterations in land use limitation in areas with an average slope of less than 20%, which do not result in any changes in land use or density and projects that consist of construction or placement of minor structures that are accessory to existing commercial facilities and is subject to Section 753.5 of Title 14 of the California Code of Regulations. This project involves street dining decks within the Mixed-Use Village zoning district. No adverse environmental impacts were discovered during review of the proposed project.

- D. **The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff and the Planning Commission have reviewed the project. The proposed prototype street dining deck will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

The Community Development Staff and the Planning Commission have reviewed the application. The proposed prototype street dining deck complies with all applicable design review criteria in Section 17.120.070.

F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff and the Planning Commission have all reviewed the application for the prototype street dining deck. The design of the deck will fit in nicely with the existing mixed-use village neighborhood. The project will maintain the character, scale, and development pattern of the village.

Coastal Development Permit Findings

A. The project is consistent with the LCP land use plan, and the LCP implementation program.

The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project is located on within public parking spaces (maximum 25) within the mixed-use village. The project will not negatively impact public landmarks and/or public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project is located within public parking spaces in the mixed-use village zoning district. The prototype street dining deck provides coastal access. The prototype street dining deck will maintain or enhance vegetation consistent with the allowed use and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves a prototype street dining deck will not negatively impact low-cost public recreational access. For each parking space utilized for the street dining deck, two bicycle parking spaces are required.

E. The project maintains or enhances opportunities for visitors.

The project involves a prototype street dining deck and will not negatively impact visitor serving opportunities. The street dining deck will enhance the visitor experience providing additional opportunities for dining with views and addition bike parking spaces.

F. The project maintains or enhances coastal resources.

The project involves a prototype street dining deck and will not negatively impact coastal resources. On busy beach days, the additional seating will provide more opportunities for visitors to dine on a deck and take in the view and coastal feel of the village.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed prototype street dining deck project complies with all applicable design criteria, design guidelines, area plans, and development standards. The project has been conditioned to ensure the operating characteristics are consistent with the outdoor dining regulations of the zoning code.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves a prototype street dining deck design for future development of up to 25 parking spaces within the mixed-use village zoning district. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the mixed-use village zoning district.

B. 201 Monterey Avenue #C

Permit Number: #22-0125

APN: 035-185-06

Conditional Use Permit Amendment and Design Permit to allow beer and wine sales, sidewalk dining, and outdoor dining to an existing restaurant (Castagnola Deli & Cafe) located in the MU-V (Mixed Use Village) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15301

Property Owner: Atlantis Properties

Representative: Daniel Castagnola Filed: 3.21.22

Senior Planner Brian Froelich presented staff report.

Recommended action: Staff recommends the Planning Commission approve project #22-0125 based on the conditions of Approval and Findings

Public Comments

None presented.

There was a consensus among the Commissioners.

Chair Wilk inquired as to the availability of public access restrooms inside the building.

Commissioner Christiansen inquired about the 160 sq ft. limitation in relation to the newly adopted zoning ordinance for take-out restaurants.

Commissioner Routh asked that staff remind the owner to keep the sidewalk sign in front of the business and out of the path of travel.

Motion: Approve the project with the added condition that at least one restroom is available to customers during business hours.

Conditions of Approval

Conditional Use Permit

1. ~~The project approval consists of a Conditional Use Permit for a take-out deli to be located at 201 D Monterey Avenue. The project approval consists of a Coastal Development Permit and Design permit for sidewalk dining and an amendment to a Conditional Use Permit for the sale of wine and beer and outdoor dining in the side patio dining. The original CUP application #07-048 was approved on September 6, 2007, by the Planning Commission. The amendment to the CUP application #22-0125 was approved by Planning Commission on July 21, 2022.~~
2. There shall be no more than six seats provided inside the restaurant.
3. ~~No outdoor seating is permitted.~~ Outdoor dining is permitted in an eight foot by 11 foot space in the

side patio located within 201 Monterey Avenue; and three, two foot by two foot bistro tables immediately adjacent to the building within the public sidewalk. The tables, chairs, and umbrellas shall not interfere with a required five-foot sidewalk clearance. The table nearest the north entrance shall be limited to two opposing chairs parallel to the sidewalk.

4. Any significant modifications to the size and appearance of the structure must be approved by the Planning Commission. Similarly, any significant change to the use itself, or site, must be approved by the Planning Commission.
5. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
6. ~~Business hours will be limited to 7:30AM — 8:30PM.~~ Outdoor dining may occur between 7 a.m. and 10 p.m. seven days a week.
7. The applicant shall ~~obtain~~ maintain a current business license ~~prior~~ to operate the business.
8. Beer and wine consumption shall be limited to inside the restaurant and the patio area. No beer and wine consumption shall be allowed within the sidewalk dining.
9. Signage shall be maintained at the entry/exit to the restaurant and patio stating that “consumption of alcohol prohibited in sidewalk dining”.
10. No new lighting or signs are approved with this permit.
11. Amplified sound is prohibited outside the building.
12. A restroom shall be available to customers at all times during business hours.

Sidewalk Dining Conditions of Approval

13. The Covid-19 temporary use permit for outdoor dining expires on September 15, 2022. To utilize the sidewalk dining after September 15, 2022, the applicant shall complete a revocable encroachment agreement, in a form provided by the Public Works Department, for all approved privately installed improvements within the street right-of-way.
14. Prior to use beyond September 15, 2022, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
15. The sidewalk dining shall comply with all applicable requirements of Capitola Municipal Code Section 17.96, the Zoning Code, the revocable encroachment permit, and all other applicable laws, administrative policies, rules, and regulations.
16. The outdoor dining shall be consistent with the Local Coastal Program and not adversely impact coastal resources, coastal access, and coastal views.
17. Materials and Furniture. The sidewalk dining must utilize high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather. The application included black wrought iron tables and chairs, as well as two commercial grade umbrellas. The tables, chairs, and umbrellas approved within this permit must be well maintained. Any visible signs of weathering (fading, rust, holes, etc.) shall be addressed immediately through replacement or

maintenance. Faded umbrellas shall be replaced with a UV rated fabric and not include logos, labels, or advertising. Upon Planning Commission approval, the property owner will order new umbrellas to replace the existing faded umbrellas.

18. **CDP Recertification Requirement.** All CDPs issued for outdoor dining permits shall require recertification by the City Council no later than three years after the CDP is issued, and every five years thereafter. Recertification shall require a public hearing before the City Council. City staff will initiate the recertification process by providing notice to the applicant of the hearing date, at least thirty (30) days in advance of the public hearing. For a CDP to be recertified, the City Council must find that the subject project is operating in compliance with the findings and conditions of the CDP and in compliance with the LCP. The City Council may recertify, modify, or revoke the CDP.
19. **Signs.** No new business signs are included in the application.
20. **Stormwater Drainage.** The sidewalk dining must allow for adequate stormwater drainage. Sidewalk dining areas shall not block the drainage flow along the gutter line. Sidewalk dining shall not block access into any drain inlet or other drainage/stormwater facility.
21. **Utilities.** The sidewalk dining shall not interfere with utility boxes, water hydrants, storm drains, and all other related facilities.
22. **Trash and Maintenance.** The outdoor dining shall be maintained in a clean and safe condition as determined by the City, including as follows:
 - d. All trash shall be picked up and properly disposed of.
 - e. All flower boxes and planters shall contain live, healthy vegetation.
 - f. All tables, chairs, equipment, and structures must be kept clean and operational
23. **Sound.** Music and amplified sound are not allowed in an outdoor dining area.
24. **Hours of Operation.** Outdoor dining may occur between 7 a.m. and 10 p.m. seven days a week.
25. **Open for Use.** All outdoor dining in the public right-of-way must be open for use a minimum of five days per week, except in cases of inclement weather. "Open for use" means that the eating or drinking establishment must have tables ready for customers to use the outdoor dining area when the establishment is open for business.
26. All street dining facilities may be subject to inspection by the City on an annual basis or as needed to ensure compliance with this section, conditions of approval, and administrative procedures.

Findings

Conditional Use Permit Findings

- A. The proposed use is allowed in the applicable zoning district.**
Beer and wine sales are permitted through a conditional use permit in the MU-V zoning district.
- B. The proposed use is consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**
The restaurant space with beer and wine sales, as conditioned, is consistent with the Zoning Ordinance, General Plan, and Local Coastal Plan.
- C. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.**
Castagnola deli & cafe is compatible and appropriately located within the blend of land uses in the Capitola Village.

D. The proposed use will not be detrimental to the public health, safety, and welfare.

Sales of beer & wine offered by Castagnola deli & cafe until 8:30pm will not be detrimental to the public health, safety, and welfare. Similar services are currently operating in the Capitola Village.

E. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.

Castagnola deli & cafe is properly located within the Capitola Village area and has been a business operating in good standing. The property is adequately served by services and infrastructure.

F. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301 of the CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This project involves no new permanent physical improvements and does not require a Building permit. The permit will involve a minor change in operations and utilization of existing spaces. No adverse environmental impacts were discovered during review of the proposed project.

Design Permit Findings**A. The sidewalk dining area or street dining deck complies with all applicable requirements of this section, the Zoning Code, and all other applicable laws, administrative policies, rules, and regulations.**

The proposed sidewalk dining area formalizes what the owner was allowed under the Covid-19 Temporary Use Agreement. The proposal complies with the zoning code and the owner is pursuing a license with ABC.

B. If located in the coastal zone, the sidewalk dining area or street dining deck is consistent with the Local Coastal Program and will not adversely impact coastal resources, coastal access, and coastal views.

The proposed sidewalk dining is required to maintain a five foot clearance for all associated furniture, tables, chairs, and umbrellas.

C. The design of the sidewalk dining area or street dining deck supports a safe, inviting, and lively public realm consistent with the purpose of the MU-V zoning district as provided in Section 17.20.040 (Purpose of the Mixed Use Zoning Districts).

The sidewalk dining area will allow the owner to expand the business under newer code sections that allow limited outdoor dining options without requiring parking upgrades. As conditioned, the sidewalk dining will not be permitted for beer and wine consumption.

D. The sidewalk dining area or street dining deck materials include high-quality, durable materials that are compatible with surrounding development and can withstand inclement weather.

The applicant has been using wrought iron style bistro tables and chairs painted black. These tables and chairs are classic and durable design.

Coastal Findings**A. The project is consistent with the LCP land use plan, and the LCP implementation program.**

The proposed project conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project has no impact on view or coastal access.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project will have no impact on vegetation or habitat.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project has no impact on recreation access or cost and maintenance all required sidewalk clearances.

E. The project maintains or enhances opportunities for visitors.

The project has no negative impact on visitors and opportunity.

F. The project maintains or enhances coastal resources.

The proposed project has no impact on coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed project complies, as conditioned, with local and state laws regarding outdoor dining, parking, beer and wine service, and parking.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project will not obstruct public access and has no impact on recreation or visitor opportunities and experiences.

Result: Approved 5:0 (Unanimous)

Mover: Commissioner Christiansen

Seconded: Commissioner Routh

Yea: Commissioners Wilk, Westman, Christiansen, Newman, Routh

C. 1350 49th Avenue

Permit Number: #22-0035

APN: 034-068-14

Permit amendment for a Design Permit and Variance to construct first- and second-story additions on an existing single-family residence with a variance to the required side yard setback located at 1350 49th Avenue within the R-1 (Single-Family) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Rick Aberle

Representative: John Hofacre, Filed: 01.31.22

Associate Planner Sean Sesanto presented the report.

Recommended action: Staff recommends the Planning Commission approve project #22-0035 based on the conditions of Approval and Findings

Commissioner Routh asked why the permit granted in 2018 had not expired. He also asked for clarification regarding encroachments on adjacent lots.

Planner Sesanto responded that the applicant had an active building permit for the original approval which is why they were able to apply for modifications. He further noted that both property owners

were aware of the longstanding encroachment and the application neither included nor required the owners to establish a permanent easement.

Community Development Director Katie Herlihy clarified that the requirement on this permit is to allow access to the site during construction.

Commissioner Newman asked clarification if their city-issued permit approved encroachment on neighbor's property.

Project representative John Hofacre commented that they already have a building permit and could remodel the home as originally approved without modifying or removing the encroachment but feel the modifications would improve the situation between both properties.

Commissioner Christensen asked for staff confirmation, to which Director Herlihy confirmed the applicant's ability to act on the existing building permit should the current proposal be denied.

Commissioner Westman stated she was favorable of the design itself but suggested continuing the item until the next agenda so staff could consult with the City Attorney.

In response to a question by Commission Routh, John Hofacre described the new design, confirmed that there is not a deck above the garage, and described how structural improvements to the encroachment with respect to stormwater drainage and fireproofing.

Property owner Rick Aberle commented on his relationship with neighbors in the community.

Steven Lang was recognized to speak but had experienced technical issues.

Commissioner Routh: expressed concern about approving a project that may encroach on someone else's property. Supports continuing the item to the next agenda, while the Commission consults with City Attorney's office.

Chair Wilk asked if there was consensus among the Commission regarding the project design.

There was favorable consensus among Commissioners for the project design.

Motion: Continue the item to next meeting and direct staff provide input from the City Attorney regarding encroachment on the neighbor's property.

Result: Accepted 5:0 (Unanimous)

Mover: Commissioner Westman

Second: Commissioner Routh

Yea: Commissioners Wilk, Westman, Christiansen, Newman, Routh

D. 720 Hill Street

Permit Number: #21-0122

APN: 036-011-28

Design Permit, Conditional Use Permit, and Tree Removal Permit for a new 42-room hotel located within the C-C (Community Commercial) zoning district and the AH (Affordable Housing) overlay zone ("Project").

This project is outside of the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: CEQA Categorical Exemption Section 15332 (In-fill Development)

Property Owner: Dhanesh Patel

Representative: Gwen Jarick

Senior Planner Brian Froelich presented the staff report.

Recommended action: Staff recommends the Planning Commission approve project #22-0122 based on the conditions of Approval and Findings, including conditions 55 and 56.

Chair Wilk asked for clarification on the concessions made by the applicant and if neighbors are happy.

Hotel and property owner Danhesh Patel commented that the main concern of his neighbor is the connecting wall and noted a commitment to continue being a good neighbor; there will be no large vehicles or idling trucks due to the new demand for parking spaces.

Neighbor Peter Folis expressed concern about privacy issues and the length of the proposed screening.

Neighbor Bill Babcock commented on the height of the proposed wall for privacy reasons.

Letter from a community member requesting rodent control measures, Bob Lashey, was read for record by Senior Planner Brian Froelich.

Commissioner Routh noted that the added conditions in staff presentation, (#s: 55 and 56) effectively resolves the neighbor concerns..

Motion: Approve the project with the following conditions and findings, including modifications recommended by staff in under conditions #55 and 56:

Conditions of Approval

General Conditions

1. The project approval consists of a Conditional Use Permit, Design Permit, and Tree Removal Permit for the construction and operation of a hotel at 720 Hill Street. The CUP, Design Permit, and Tree Removal Permit application #21-0122 was approved by Planning Commission on July 21, 2022.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this conditional use permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B.
5. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

6. This permit shall expire 24 months from the date of issuance. The applicant shall have obtained an approved building permit commenced construction before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration.
7. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
8. The project applicant shall designate a “disturbance coordinator” who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
9. Green Waste is the City’s exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Green Waste. Using another hauler may violate City Code Section 8.04 and result in Code Enforcement action.

Conditional Use Permit Conditions

10. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
11. The rooftop patio shall be closed for all use between 10pm and 8am.
12. The applicant shall obtain a business license prior to operating the new hotel.
13. Hours for deliveries to the hotel shall be limited to 8:00 A.M. – 8:00 P.M. Monday through Friday, to minimize noise impacts to neighboring residents. Delivery vehicles shall not be permitted to remain at idle, shall utilize the loading zones, and shall not stop or park within 50 feet of the residential property boundaries.
14. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view and inside the trash enclosure on non-collection days.
15. Bicycle parking is required to be accommodated with 10 short term bike parking spaces and five long term bike parking spaces. The design and specifications of the bike parking spaces shall be included in the plans for Building Permit plan check.
16. The property shall maintain and make available to guests and employees, six property bikes. The applicant shall have the bikes onsite prior to certificate of occupancy.
17. Amplified sound is limited to interior areas only.
18. Alcohol service is not approved with this permit.

Planning Department Conditions

19. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
20. Prior to issuance of building permit, all Planning fees associated with permit #21-0122 shall be paid in full.

21. Air-conditioning equipment or other roof top equipment shall be screened from view and fall within allowable city permitted decibel levels.
22. The trash enclosure shall be covered, gated, and maintained to provide a clean and sanitary area. The trash enclosure construction shall be completed, prior to final inspection.
23. Outdoor luminaires shall be energy-efficient fixtures controlled by motion sensors and incorporate cut-off controls and outdoor lighting controls. All building and parking lot lighting shall be shielded to prevent light from shining in the neighboring properties and be Dark Sky compliant. The applicant shall provide a lighting plan and photometric plan with the submittal of plans for building permit plan check.
24. No rooftop equipment is to be visible to the general public. Any necessary roof screening is to match the color of the building as closely as possible. Plans for any necessary screening shall be submitted to the Community Development Department prior to, or in conjunction with the building permit submittal.
25. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District and Central Fire Protection District.
26. Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Conditional Use Permit, Design Permit, or Tree Removal. The agreement shall be in a form satisfactory to the City Attorney and Community Development Director and executed, prior to issuance of building permits. It shall run with the land and shall not be amended without prior City consent.
27. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
28. The owner shall consult the members and/or managers of the Road and Utility Maintenance Agreement to obtain any necessary approvals regarding the design and location of road, sidewalk, and utility improvements associated with this project, prior to start of work. The owner shall further coordinate with the managers of the Road and Utility Maintenance Agreement and adjacent property owners to ensure that appropriate access is maintained throughout the duration of the project. Permit approval does not supersede any obligations of the owner to comply with private agreements.
29. Prior to occupancy, the Landscape Architect shall certify in writing the landscaping and irrigation has been installed in accordance with all aspects of the approved landscape plans, subject to final approval by the Community Development Director.
30. If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the

archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.

31. In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains, and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.
32. In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
33. To the extent practicable, tree removal shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If tree removal cannot be performed during this period, precutting surveys will be performed no more than two days prior to beginning work activities to locate any active nests as follows: The owner/applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 300' for active nests—with particular emphasis on nests of migratory birds—if tree cutting will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the project owner/applicant, in coordination with the appropriate city staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for three days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.
34. This project requires the approval of the Santa Cruz County Environmental Health Department prior to issuance of Building Permits.
35. No signs are approved as part of this application. A Sign Permit application shall be submitted in compliance with Chapter 17.80 of the zoning ordinance and shall include all signage proposed for the project site.
36. The Water Feature shall not be directly connected to water utility source and shall be equipped with a recirculation pump.
37. Inspections by the Planning Department are required for the foundation, final framing, prefinal after application of exterior materials, and final inspection.

38. Separate containers for recyclables, organics, and waste shall be placed in all common areas, including all gathering areas, such as eating areas and break rooms.
39. A separate water service and water meter for irrigation will be required.
40. The applicant shall submit an application to meet the public art requirement prior to building permit issuance. The proposed conceptual mural at the northwest corner of the building shall be incorporated into the project in any case; even if it does not qualify or is otherwise not accepted to satisfy the public art requirement. A cash deposit for the value of the public art shall be paid prior to issuance of building permits.
41. The applicant shall provide four electric vehicle charging stations with the plans for building permit plan check.
42. The landscape plans for Building Permit plan check shall replace the six, 15-gallon pittosporum shrubs at the south end of the new parking lot with three, 24 inch box evergreen trees.

Public Works Department Conditions

43. Prior to issuance of building permits, any improvements that interface with the public right of way, e.g., sidewalks, crosswalks, curb, gutter and sidewalks, shall submit plans for review and approval by the Public Works Department.
44. Prior to any work in the City Road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
45. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk in the City Road right of way shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
46. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
47. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
48. Applicant shall notify the Public Works Department 24 hours in advance of the commencement of work. A pre-construction inspection must be conducted to verify compliance with the approved temporary erosion and sediment control plan
49. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan (Temporary Construction BMPs) shall be submitted to the City and approved by the Public Works Director. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16.100 Construction Site Storm Water Runoff Control. All improvements shall be installed prior to the start of construction and shall be maintained throughout project duration.
50. Prior to issuance of building permits, the applicant shall submit a Stormwater Control Plan, Bioretention Construction checklist, and detailed draft Stormwater Operation and Maintenance Plan prepared and certified by a Registered Civil Engineer in accordance with the current Post

construction Requirements (PCRs) for a Tier 2 project for review and approval by the Public Works Director. The revisions specified in the HydroScience Preliminary Stormwater Control Plan Review dated July 11, 2022, including subsequent updates, shall be completed to the satisfaction of the Public Works Director.

51. Prior to final occupancy approval the applicant shall submit a final Operation and Maintenance Plan including any revisions resulting from changes made during construction for review, approval and recorded in the Office of the County Recorder by the Public Works Director.
52. Prior to final occupancy approval the applicant shall enter into and record in the Office of the county Recorder, any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership, right-of-entry for inspection or abatement, and/or long-term maintenance of the stormwater treatment BMPs.
53. Prior to final occupancy approval the Engineer of Record shall inspect construction of stormwater management improvements and certify to the City that the construction meets the intent of the approved design drawings, Stormwater Control Plan, and the City Post Construction Requirements.
54. Prior to final occupancy approval the Engineer of Record shall provide final record drawings of the constructed stormwater management improvements.

Planning Commission Conditions

55. Prior to acceptance of plans for building permit plan check, the applicant shall adjust existing parking lot lighting to avoid light trespass onto neighboring properties.
56. The applicant shall add a three foot tall solid wood cap to the existing five foot tall masonry wall, prior to certificate of occupancy.

Conditional Use Permit Findings

A. The proposed use is allowed in the applicable zoning district.

Hotels are a conditional use in the Community Commercial zone. The design and use incorporate mitigations and conditions to result in a hotel that has an appropriate transition and limited impact on surrounding residential uses. The property has an Affordable Housing Overlay that is assigned 61 units under the current Housing Element. The City has identified new sites and progress toward RHNA goals that result in No Net Loss.

B. The proposed use is consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.

The proposed use, as conditioned, is consistent with local long range and implementation planning documents.

C. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.

The project will have a beneficial effect on traffic and provide a support service to local business. The design incorporates appropriate residential transition measures and involves only a 40% buildout of the site. The rooftop patio is regulated by appropriate hours.

D. The proposed use will not be detrimental to the public health, safety, and welfare.

The proposed hotel will not have an impact to public, health, safety, and welfare. The building provides for required parking, will be fire sprinkled, and will be served by all necessary public utilities.

E. The proposed use is properly located within the city and adequately served by existing or

planned services and infrastructure.

The proposed use is appropriately located and well mitigated from impacts to adjacent residential uses. The project is with a quarter mile to SR1 and a bus route. The property will be served by all utilities.

Design Permit Findings

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development staff, the Development and Design Review Committee, consultant RRM and the Planning Commission have all reviewed the project. The proposed project, as conditioned, is consistent with local long range and implementation planning documents. The project meets the Design Review Criteria.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 18,261 square foot hotel complies with all development standards of the C-C (Community Commercial) zoning district.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15332 of the CEQA Guidelines exempts infill development projects that meet certain criteria. The city contracted with environmental consultant Dudek to prepare a detailed environmental analysis under CEQA for the proposed project (attachment #5). The project is consistent with both the general plan and zoning ordinance. The site is within city limits and is surrounded by developed sites and urban uses. No known habitat or rare or threatened species have been identified on the subject site. Potential for traffic, noise, air quality and water quality were all evaluated and will be effectively mitigated by following current City codes and the recommended project conditions of approval. The site is well served by available public utilities and services.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

The proposed hotel will not have an impact to public, health, safety, and welfare. The building provides for required parking, will be fire sprinkled, and will be served by all necessary public utilities. Condition #22 requires the applicant to work with the Road and Utility Maintenance Agreement members to ensure compliance with the property's underlying private contracts.

- E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).**

Community Development Staff, the Architectural and Site Review Committee, design consultant RRM and the Planning Commission have all reviewed the project. The proposed 18,261 square foot hotel and supporting improvements comply with the applicable design review criteria as described in the staff report.

- F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.**

The project site is not in a residential neighborhood but adjacent to single family and multi family zoning. The design incorporated all required transitional standards and conditions of approval further mitigate impacts of operating hours, privacy, and noise.

Result: Approved 5:0 (Unanimous)

Mover: Commissioner Christiansen

Seconded: Commissioner Newman.

Yea: Commissioners Wilk, Westman, Christiansen, Newman, Routh

7. Director's Report

Community Development Director Katie Herlihy noted that there is an upcoming new project, (Assisted Living Facility), submitted for 3720 Capitola Road across from Target. This will be agendaized for the next Planning Commission hearing.

8. Commission Communications

9. Adjournment

The meeting was adjourned at: 9:36PM to the next Regular Meeting of the Planning Commission on August 18, 2022.

ATTEST/Approved by the Planning Commission

Louis Osemwegie, Clerk to the Commission

Capitola Planning Commission

Agenda Report

Meeting: September 1, 2022

From: Community Development Department

Address: 1830 47th Avenue



Permit Number: #22-0239

APN: 034-022-35

Design Permit, Coastal Development Permit, and Tree Removal Permit for demolition of an existing residence and construction of a new single-story residence with an attached garage and ADU located within the R-1 (Single-Family Residential) zoning district. The project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to California Coastal Commission.

Environmental Determination: Categorical Exemption 15303

Property Owner: Alex Westervelt

Representative: Kieran Martin, Filed: 06.03.2022

Applicant Proposal

The applicant is proposing to demolish the existing single-story residence and replace it with a new single-story 954 square foot primary residence, 220 square foot attached garage, and a 342 square foot attached ADU. The application requires Planning Commission approval of a design permit, coastal development permit, and tree removal permit.

Background

On August 10, 2022, Development and Design Review staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: Noted that the sidewalk and driveway apron will need to be replaced to current standards.

Building Official, Robin Woodman: Commented that the ship ladder access and head height for the ADU would need to be represented by a cross section detail drawing and the Architect should review applicable Building Code provisions, prior to making submittal for Building Permit plan check.

Senior Planner, Brian Froelich: Advised that the garage and ADU could be attached to the residence if access to the ADU was relocated and required private open space to be defined on the plans. Planner Froelich also requested to visit the property to observe existing conditions and trees proposed for removal.

Following the Development and Design Review meeting, staff met with the applicant onsite. The applicant also modified the plans to increase floor-to-ceiling clearance for the ADU, redesigned the access stairs, and attached the garage and ADU to the primary residence.

Development Standards

The following table outlines the zoning code requirements for development in the Single-Family Residential Zoning District. The application complies with all measurable development standards of the R-1 zone.

Building Height				
R-1 Regulation		Existing		Proposed
25 ft.		12 ft.		16 ft.
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot size	4,000 sq. ft.		4,000 sq. ft.	
Maximum Floor Area Ratio	54% (Max 2,160 sq. ft.)		54% (Max 2,160 sq. ft.)	
First Story Floor Area	1,050 sq. ft. (approx.)		982 sq. ft.	
ADU	0 sq. ft.		343 sq. ft.	
Attached Garage	0 sq. ft.		260 sq. ft.	
Total FAR	26.3% (1,050 sq. ft.)		39.6% (1,586 sq. ft.)	
Setbacks				
	R-1 regulation		Existing	Proposed
Front Yard	15 ft.		23 ft.	15 ft.
Side Yard	10% lot width	Lot width 40 ft. 4 ft. min.	North: 12 ft. South: 6 ft..	North: 4 ft. South: 4ft.
Rear Yard Residence	20% of parcel depth,	Lot depth 100ft. 20 ft. min.	30 ft.	20 ft.
ADU	ADU 4ft		4 ft.	4 ft.
Parking (325 sf. FAR Exemption for Garage Parking Area)				
> 1,500 sq. ft.: 2 per unit ADU: 1 per unit Total required: 3	Required		Existing	Proposed
	3 spaces total 3 uncovered		2 spaces total 2 uncovered	3 spaces total 1 covered 2 uncovered
Underground Utilities: Required with 25% increase in area				Yes

Discussion

The property at 1830 47th Avenue is a 4,000 square foot, mid-block rectangular lot within the North Forties neighborhood, surrounded by primarily one and two story single-family residences. Single story homes outnumber two story homes by about a 2:1 ratio in the immediate area. The lot contains a modest cottage style home which is proposed to be demolished.

Design Permit

The applicant is proposing to construct a new single story, single-family residence with an attached garage and accessory dwelling unit (ADU). The application complies with all measurable development standards of the R-1 zone but is required to be reviewed by the Planning Commission for a Design Permit due to being a new single-family home. The architectural design is contemporary in nature with single plane roofs, extended overhangs, and uses narrow vertical windows. Exterior materials include vertically raked, uncolored cement plaster, resawn redwood horizontal siding, bronze anodized aluminum windows and doors, and built-up roofing. The

proposed single-family home satisfies all applicable design review criteria per Zoning Code section 17.120.070(A-S), which is included as Attachment 2.

Parking

Required parking for the project is three total spaces (three uncovered). The proposed driveway can accommodate two 10 feet by 20 feet parking spaces and the garage can accommodate a single 10 feet by 20 feet covered parking space. The proposed uncovered parking area in the driveway is designed with horizontal concrete pavers interspersed with rock. The applicant has chosen this style of paving to reduce impacts to the root zone of a large Japanese Maple tree in the center of the lot. The project was designed around this tree as a focal point. The third parking space is a covered space in the garage. All three parking spaces are in a row (tandem) formation. Three parking spaces is the maximum permitted without Planning Commission approval, per Section 17.76.060E2.

Off-site Improvements

Currently, a substandard width sidewalk exists along the street frontage of the subject property. The existing sidewalk is also in a state of disrepair. The Public Works Department has conditioned the project to remove and install new sidewalk, curb, gutter, and ADA compliant driveway apron improvements be constructed per city standard.

Landscape and Trees

The application includes the proposed removal of five trees:

- one ficus tree
- one yucca tree
- three fruit trees

The applicant is proposing to replace the removed trees with two, 15-gallon arbutus marina trees. Even with the removed trees the site retains the goal of fifteen percent canopy coverage for new residential construction projects, pursuant to Section 12.12.190(C). The proposed plantings replace the lost canopy coverage in-full.

CEQA

Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence and accessory structures in a residential zone. This project involves demolition of an existing single-family residence and construction of a new single-family residence, ADU, and garage within the R-1 (single-family residence) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

Recommendation

Staff recommends the Planning Commission approve application #22-0239 based on the following Conditions and Findings of Approval.

Attachments

1. Plan Set
2. Design Permit Design Review Criteria

Conditions of Approval

General

1. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission on September 1, 2022. All construction and site improvements shall be completed according to the approved plans.
2. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
3. Construction activity shall be subject to a noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. 9.12.010B

Planning

4. The project approval consists of construction of a 954 primary residence, 343 square foot ADU, and 260 square foot garage. The maximum Floor Area Ratio for the 4,000 square-foot property is 54% (2,160 square feet). The FAR of the project is 39.6% with a total of 1,586 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 1, 2022, except as modified through conditions of approval or as required by the Planning Commission during the hearing.
5. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
6. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code 17.156.080.
7. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
8. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any

significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.

10. Prior to issuance of building permit, all Planning fees associated with permit #22-0239 shall be paid in full.
11. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
12. Exterior lights shall comply with CMC Section 17.96.110 and be limited to the Building Code required minimum. Fixtures shall be shielded and directed downward to meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light and prevent light trespass on adjacent lots. Exterior lighting shall be shown and specified on the plans for Building Permit plan check.
13. The applicant shall install two, 15-gallon arbutus marina with functional irrigation, prior to final inspection.
14. Prior to issuance of building permits, the building permit plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
15. Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The accessory dwelling unit may not be used for vacation rentals; and
 - b. The accessory dwelling unit shall not be sold separately from the primary dwelling.
 - c. The deed restriction shall lapse upon removal of the accessory dwelling unit.
16. Prior to demolition of the existing structure, a pest control company shall resolve any pest issue and document that all pest issues have been mitigated. Documentation shall be submitted to the city at time of demolition permit application.

Public Works

17. Prior to issuance of building permits, submit a stormwater temporary construction sediment and erosion control plan, e.g., wattle, contain trash/debris, stockpile protection, location of portable toilet and containment/protection, stockpile protection detail, wattle location, etc. All BMPs, sediment and erosion control measures shall be installed prior to the start of construction; and shall be maintained throughout project duration.
18. Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans.
19. Prior to issuance of building permits, submit a site drainage plan. Sheet L-2 of plan set dated 5/23/22 – Show the location of all downspouts, direction of flow and specify where the overflow will dissipate to and provide verification the retention areas are properly sized to handle the flow. Site runoff shall not drain onto the adjacent parcels.

20. Prior to issuance of building permits, the applicant shall submit plans detailing all improvements that impact or interface with the public right of way. At a minimum these details will include the limits of any existing or proposed curb drains, ADA compliant driveway approach, and installation of curb/gutter/sidewalk along the property frontage. The extent of all improvements or modifications shall be limited to those areas fronting the property boundary and shall not impact the frontage of adjacent parcels.
21. Prior to project final, all vegetation encroaching onto the existing sidewalk shall be removed. The applicant shall contact the Public Works Department for an inspection to evaluate the condition of the existing sidewalk, curb and gutter.
22. Prior to project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department.
23. Prior to any work in the City Road right of way, an encroachment permit shall be acquired by the contractor performing the work. All sidewalk, curb and gutter improvements shall be constructed per city standard. No material or equipment storage may be placed in the road right-of-way.

Design Permit Findings

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence, ADU, and garage are consistent with the general plan and the local coastal program.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence, ADU, and garage comply with all measurable development standards of the R-1 (Single-Family Residential) zoning district.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence and accessory structures in a residential zone. This project involves demolition and reconstruction of a single family residence and typical accessory structures. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence, ADU, and garage will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

- E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence, ADU, and garage comply with the applicable design review criteria as described in the staff report and through conditions of approval.

F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the application for the proposed new residence, ADU, and garage. The contemporary design of the residence with single plane roofs and narrow vertical windows are less common but these architectural elements currently exist on the block at 1760, 1770, and 1775 47th Avenue. The single story nature of the project allows it to blend appropriately with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood with a measure of unique style.

Coastal Findings

A. The project is consistent with the LCP land use plan, and the LCP implementation program.

The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project is located on private property at 1830 47th Avenue. The project will not negatively impact public landmarks and/or public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project is located at 1830 47th Avenue. The project has no impact on landmarks or public views.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves the demolition and replacement of an existing residence, an ADU and a garage, which will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves the demolition and replacement of an existing residence and remodel of an existing garage, which will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves the demolition and replacement of an existing residence, an ADU and a garage, which will not negatively impact coastal resources. There are no coastal resources in the immediate area of the subject property.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

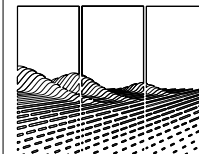
The proposed residential project complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the R-1 (Single-Family Residential) zone.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves the demolition and replacement of an existing residence, and ADU and a garage on a residential lot of record. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the R-1 zoning district.

Prepared By: Brian Froelich

WESTERVELT RES.
1830 47TH AVE.
CAPITOLA, CA
APN: 034-022-35



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PLANNING DESIGN

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CONSULTANTS

LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY
RESIDENCE

WESTERVELT
1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

COVER SHEET

DRAWING STATUS

PLANNING SUBMITTAL

REVISIONS

[illegible]

Drawn By	KR
Date Issued	08.16.202
Scale	NT
Project No.	2104

SHEET No.

G-1

64

[illegible]

Map Legend:

Basis of Bearings: The bearing of S00° 17' 00"E as shown on 13 Maps 31 and as found monumented is taken as the basis of bearings for this survey.

Vertical Datum: Assumed.

Site Benchmark: Control Point 1 as shown hereon.

Contour Interval: Contours as shown hereon are interpolated using computer digital terrain modeling software and spot elevations. Ground may be more irregular than contours indicate.

Note: The abbreviation and symbol lists below are comprehensive and not all abbreviations or symbols will appear on the map.

Record Map References:

R1: "Map of Capitola Heights" filed in Volume 13 of Maps at Page 31, in the Santa Cruz County Recorder's Office, State of California.

R2: Corner Record No. 1052 filed in the Santa Cruz County Surveyor's Office, State of California.

1836 47th Ave.
APN: 034-022-36
Lot 20 Block C (13 MAPS 31)

Surveyor's Notes:

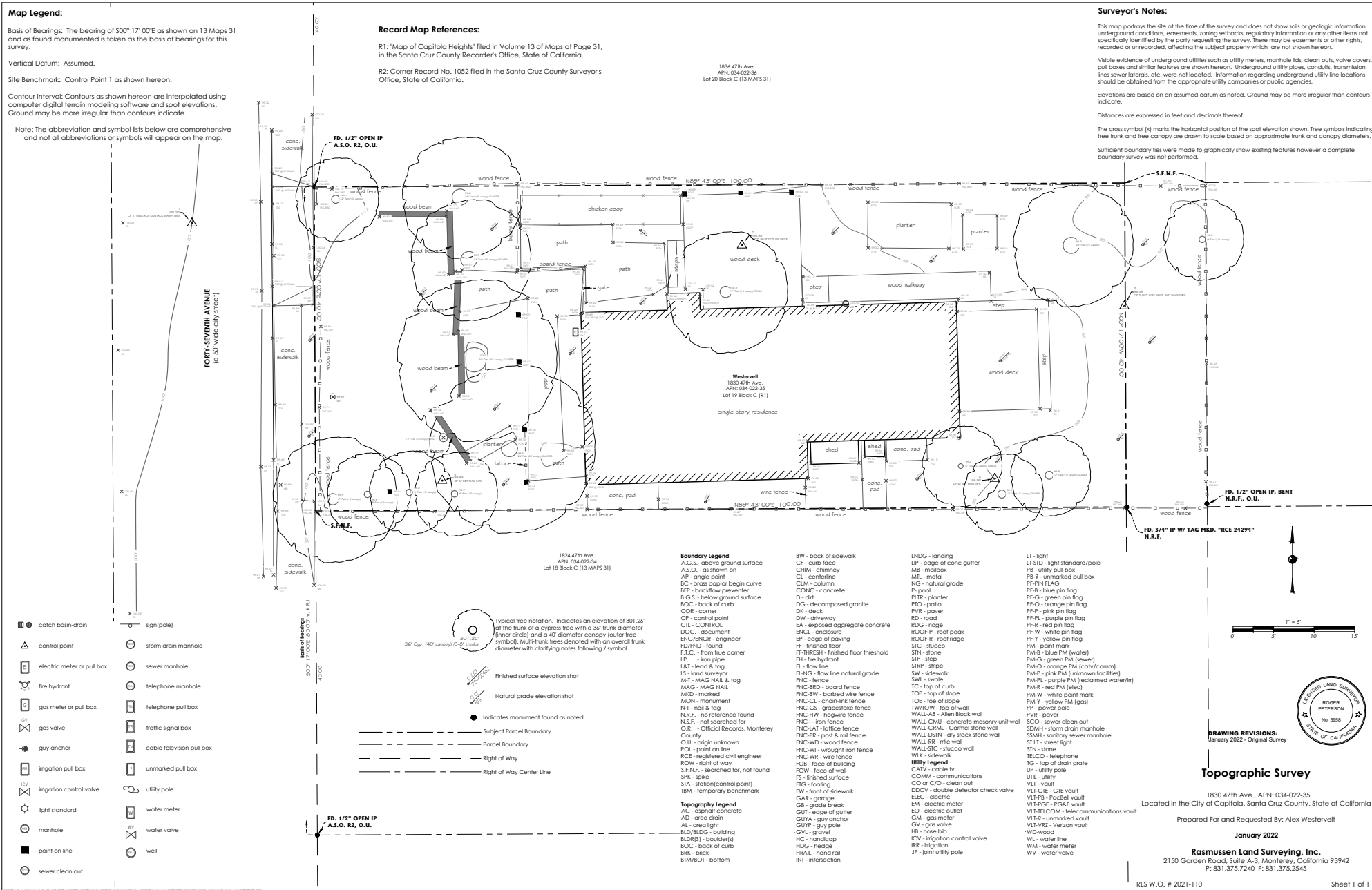
This map portrays the site at the time of the survey and does not show soils or geologic information, underground conditions, easements, zoning setbacks, regulatory information or any other items not specifically identified by the party requesting the survey. There may be easements or other rights, recorded or unrecorded, affecting the subject property which are not shown hereon.

Visible evidence of underground utilities such as utility meters, manhole lids, clean outs, valve covers, pull boxes and similar features are shown hereon. Underground utility pipes, conduits, transmission lines sewer laterals, etc. were not located. Information regarding underground utility line locations should be obtained from the appropriate utility companies or public agencies.

Elevations are based on an assumed datum as noted. Ground may be more irregular than contours indicate.

Distances are expressed in feet and decimals thereof

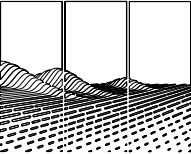
Sufficient boundary ties were made to graphically show existing features however a complete boundary survey was not performed.



Item 4 A.

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LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY
RESIDENCE

WESTERVELT

1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

PROPOSED SITE PLAN

DRAWING STATUS

PLANNING SUBMITTAL

REVISIONS

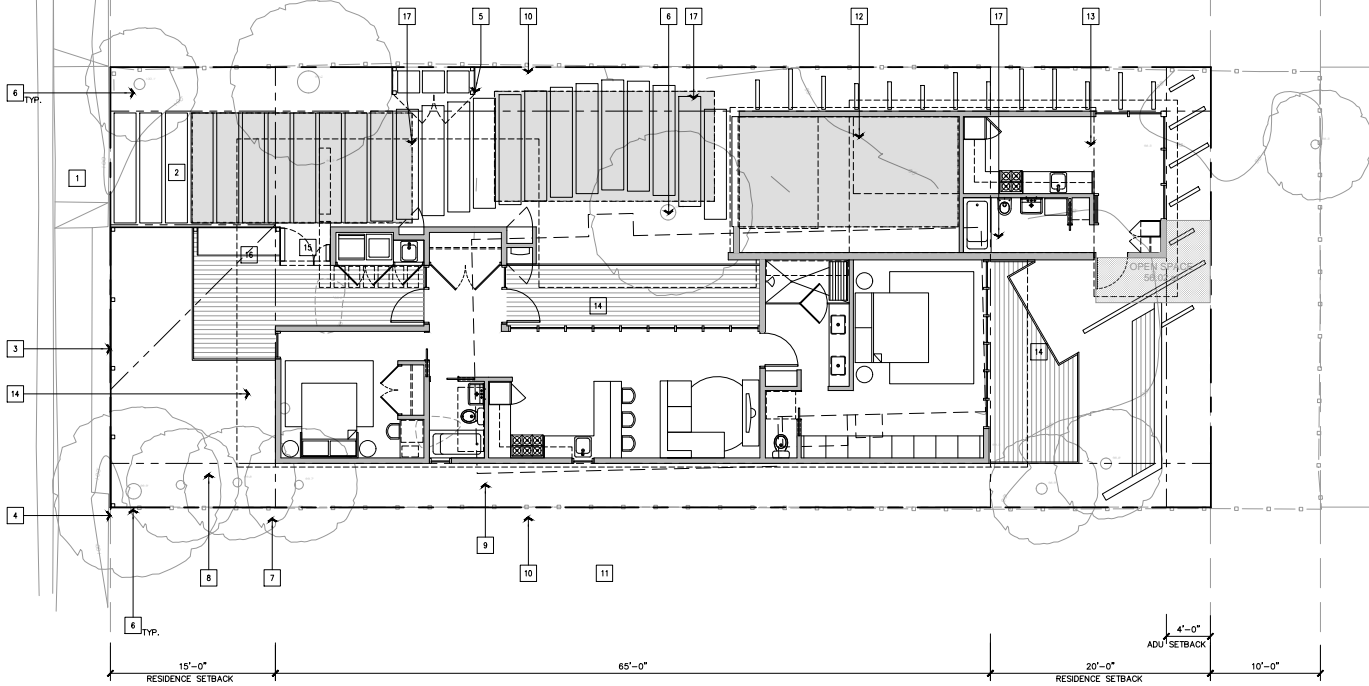
Sym.	Description	Date

Drawn By	KM
Date Issued	08.16.2022
Scale	3/16" = 1'-0"
Project No.	21040

SHEET No.

A-1

47TH AVENUE



KEYNOTES

- | | | |
|---|--------------------------------|--|
| 1 (E) DRIVEWAY CURB CUT TO REMAIN, REPAIR ANY CRACKS GREATER THAN 1/4" WIDE | 9 FOOTPRINT OF (E) RESIDENCE | 17 20'x10' OFF-STREET PARKING SPACE (x3) |
| 2 (N) 2' x 10' C.I.P. CONCRETE PAVER DRIVEWAY, PERMEABLE BETWEEN PAVERS | 10 (E) FENCE TO REMAIN | |
| 3 (N) 30" HIGH FENCE AT FRONT PROPERTY LINE | 11 (N) MAIN RESIDENCE | |
| 4 TIE (N) FENCE INTO (E) FENCE AT SOUTHWEST CORNER OF PROPERTY | 12 (N) GARAGE | |
| 5 (N) TRASH ENCLOSURE, MATCH (E) FENCE HEIGHT | 13 (N) ACCESSORY DWELLING UNIT | |
| 6 (E) TREE TO REMAIN, PROTECT IN PLACE | 14 (N) REDWOOD DECK | |
| 7 PROPERTY LINE, TYP. | 15 (N) ENTRY GATE | |
| 8 ZONING SETBACK, SEE DIMENSIONS | 16 (N) BENCH | |

SITE PLAN - 1830 47TH STREET

SCALE: 3/16" = 1'-0"

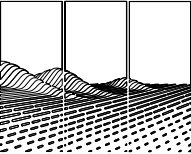
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Item 4 A.

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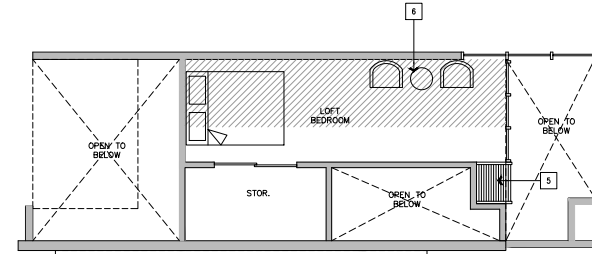
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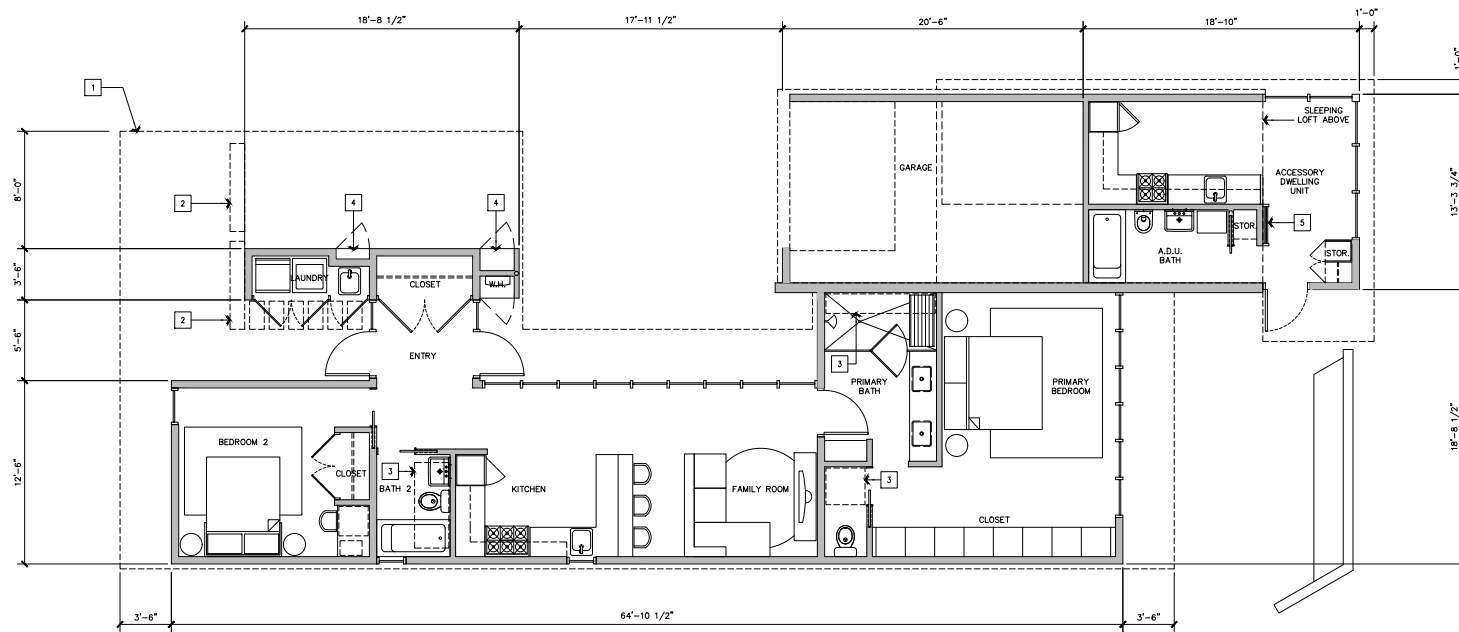
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LOFT LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"



GROUND LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"

KEYNOTES

- | | | | |
|---|------------------------|---|---|
| 1 | LINE OF OVERHANG ABOVE | 5 | LADDER TO LOFT BEDROOM |
| 2 | EXTERIOR ROOF OPENING | 6 | AREA OF LOFT w/ HEIGHT GREATER THAN 4'-0", TOTAL = 45 SF. |
| 3 | LINE OF SKYLIGHT ABOVE | 7 | LAUNDRY CLOSET, 30 SF. |
| 4 | UTILITY CLOSET | | |

LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY RESIDENCE

WESTERVELT

1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

FLOORPLAN

DRAWING STATUS

PLANNING SUBMITTAL

REVISIONS

Sym.	Description	Date

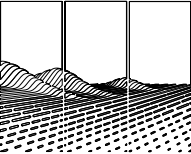
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SHEET No.

A-2

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LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY
RESIDENCE

WESTERVELT
1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

BUILDING ELEVATIONS &
EXTERIOR MATERIALS

DRAWING STATUS

PLANNING SUBMITTAL

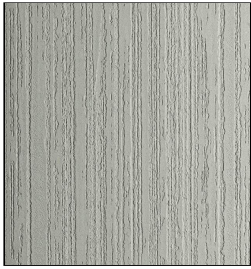
REVISIONS

Sym.	Description	Date

Drawn By	KM
Date Issued	08.16.2022
Scale	1/8" = 1'-0"
Project No.	21040

SHEET No.

A-3



1

VERTICALLY RAKED, UNCOLORED CEMENT PLASTER



2

BUILT-UP ROOFING



3

RESAWN REDWOOD HORIZONTAL NICKEL-GAP SIDING



4

BRONZE ANODIZED ALUMINUM WINDOWS & DOORS



5

TRIM PAINT, BEHR LIMOUSINE LEATHER MQ5-5

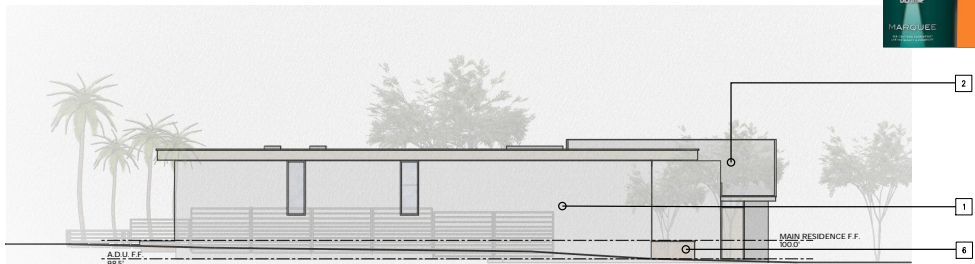
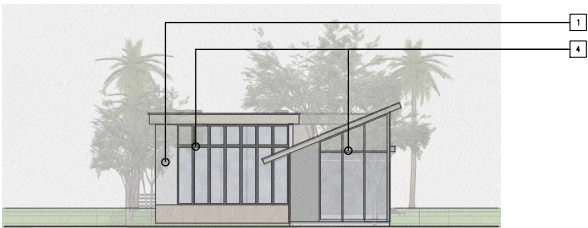
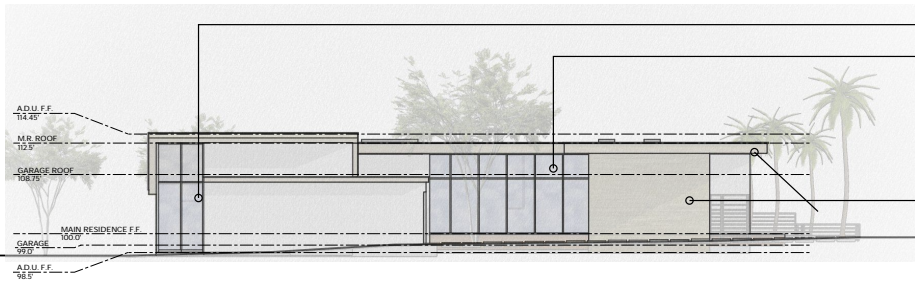


7

WASHED CONCRETE SITE PAVERS

EXTERIOR BUILDING MATERIAL BOARD

SCALE: NTS



BEHR SUMMER CITRUS FRONT DOOR

BUILDING ELEVATIONS

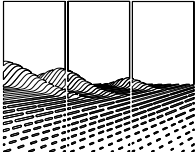
SCALE: 1/8" = 1'-0"

KEYNOTES

- | | | | |
|---|---|---|--|
| 1 | VERTICALLY RAKED, UNCOLORED CEMENT PLASTER | 5 | TRIM PAINT, BEHR LIMOUSINE LEATHER MQ5-5 |
| 2 | BUILT-UP ROOFING | 6 | REDWOOD DECKING AND FASCIA BOARDS |
| 3 | RESAWN REDWOOD HORIZONTAL NICKEL-GAP SIDING | 7 | WASHED CONCRETE SITE PAVERS |
| 4 | BRONZE ANODIZED ALUMINUM WINDOWS & DOORS | | |

Item 4 A.

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LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY
RESIDENCE

WESTERVELT

1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

BUILDING ELEVATIONS &
EXTERIOR MATERIALS

DRAWING STATUS

PLANNING SUBMITTAL

REVISIONS

Sym.	Description	Date

Drawn By	KM
Date Issued	08.16.2022
Scale	NTS
Project No.	21040

SHEET No.

A-4



VIEW FROM 47TH AVENUE



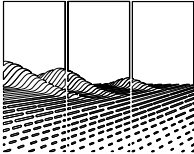
VIEW FROM THE NORTH



VIEW OF ROOF FROM NORTHEAST



VIEW FROM ABOVE FROM NORTHWEST



M A R T I N
ARCHITECTURE
PLANNING DESIGN

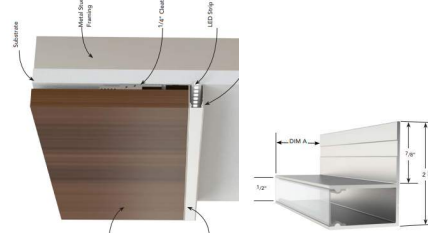
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L-1
SCALE: NTS **2**



1
LUCEPLAN FIENILE ALUMINUM BOLLARD

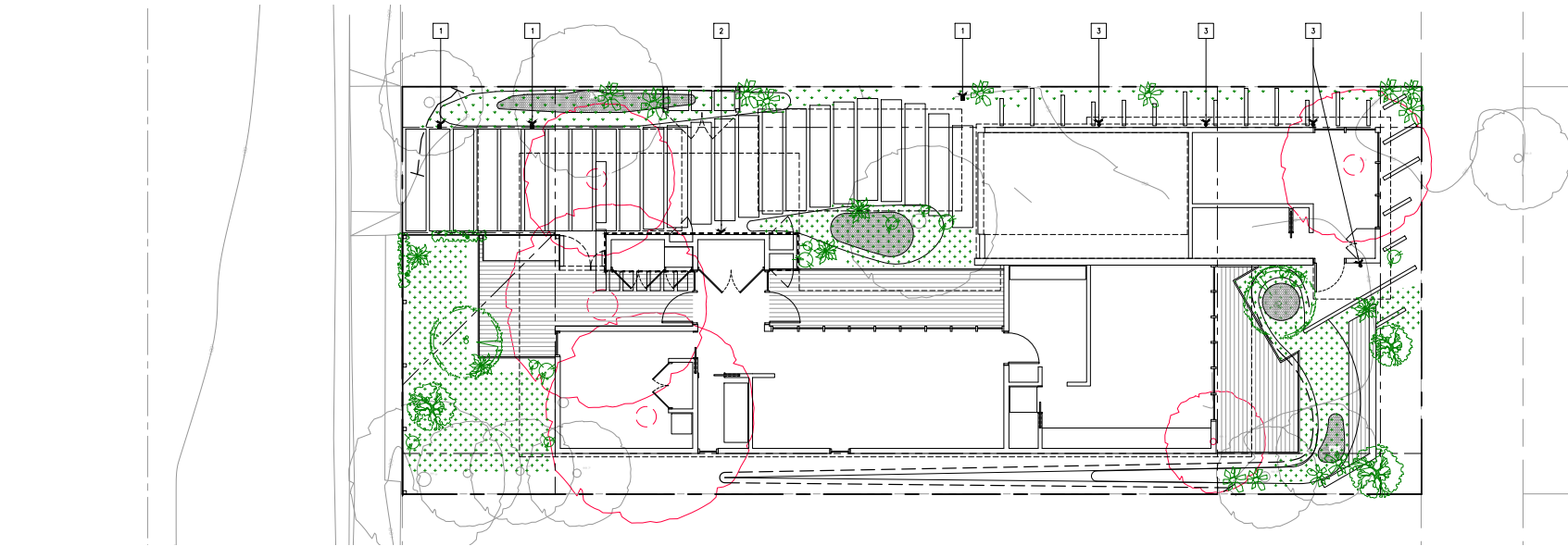


2
FRY-REGLET WALL-WASH L.E.D. TAPE LIGHT



3
WEST ELM CYLINDER OUTDOOR DOUBLE SCENCE, WHITE

SITE LIGHTING TYPES



PLANTING KEY



CEONOTHUS JULIA PHELPS
JULIA PHELPS MOUNTAIN LILAC
(3 TOTAL - REPLACEMENT TREES, 15-GAL. MIN.)



MANDEVILLA LAXA
CHILEAN JASMINE
(2 TOTAL - REPLACEMENT VINES, 15-GAL. MIN.)



AGAVE ATTENUATA
FOX TAIL AGAVE



WOODWARDIA FIMBRIATA
GIANT CHAIN FERN



MUHLBERGIA DUBIA
TEXAS DEERGRASS



FESTUCA RUBRA
RED FESCUE



KOELERIA MACRANTHA "BARKOAL"
BARKOAL JUNEGRASS



EXISTING TREE TO REMAIN
PROTECT IN PLACE



EXISTING TREE/VINE TO
BE REMOVED (5 TOTAL)



ARBUTUS MARINA
MADRONE
(2 TOTAL - REPLACEMENT TREES, 15-GAL. MIN.)

LANDSCAPE & PLANTING PLAN - 1830 47TH STREET

SCALE: 3/16" = 1'-0"

L-1
1

LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY
RESIDENCE

WESTERVELT
1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

**LANDSCAPE &
SITE LIGHTING**

DRAWING STATUS

PLANNING SUBMITTAL

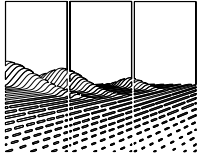
REVISIONS

Sym.	Description	Date

Drawn By	KM
Date Issued	08.16.2022
Scale	3/16" = 1'-0"
Project No.	21040

SHEET No.

L-1



M A R T I N
ARCHITECTURE
PLANNING DESIGN

43002 ARROYO SECO ROAD
SOLEDAD, CA. 93960
860.459.4629_cell
http://www.m-a-p-d.com

CONSULTANTS

LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY
RESIDENCE

WESTERVELT
1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

**GRADING & STORM
WATER CONTROL**

DRAWING STATUS

PLANNING SUBMITTAL

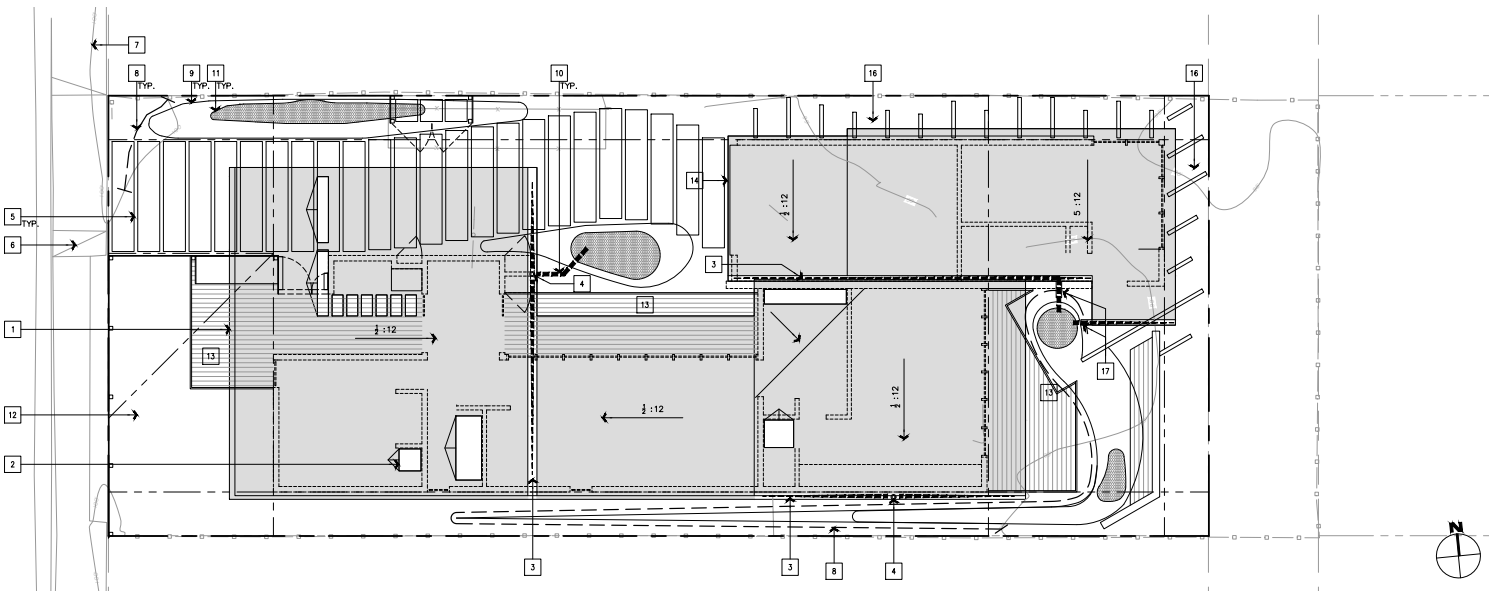
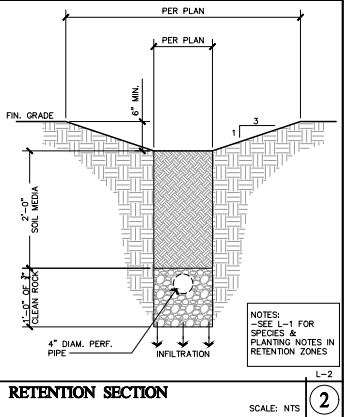
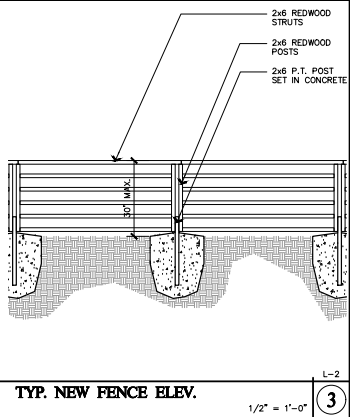
REVISIONS

Sym.	Description	Date

Drawn By	KM
Date Issued	08.16.2022
Scale	3/16" = 1'-0"
Project No.	21040

SHEET No.

L-2



KEYNOTES

1 ROOF, SHOWN HATCHED	9 GRADE BREAK FOR STORM WATER RETENTION ZONE	17 EXPOSED RAINWATER SCUPPER, POWDER-COATED STEEL
2 SKYLIGHT W/ CRICKET, TYP.	10 FLOOR OF STORM WATER RETENTION ZONE	
3 ROOF GUTTER	11 4" P.V.C. TO RETENTION, OUTLET INTO GRAVEL PIT W/ MIN. 4" COVER	
4 ROOF DOWNSPOUT, IN-WALL/ BELOW GRADE TO RETENTION ZONE	12 FRONT PLANTING AREA, ALL RAINWATER TO PERMEATE ON-SITE	
5 CONCRETE PAVER DRIVE, FREE DRAINING GRAVEL OR RIVER ROCK BETWEEN	13 EXTERIOR DECK, REDWOOD ON P.T. FRAMING, CONC. PIER FOOTINGS	
6 (E) SIDEWALK AND CURB-CUT TO REMAIN	14 GARAGE SLAB, SLOPE 1" PER FOOT TOWARDS DOOR	
7 (E) TOPOGRAPHY, SEE SURVEY	15 CONC. & WOOD SITE BENCH	
8 REVISED FINISH GRADING	16 DECOMPOSED GRANITE PATH W/ FLUSH RECLAIMED RAILROAD TIES @ 36" O.C.	

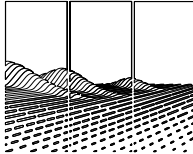
GENERAL NOTES

- 1 - STORM WATER DESIGN PROMOTES ON-SITE INFILTRATION
- 2 - AFTER PLANTING RETENTION AREAS, PROVIDE A 1" GRAVEL COVER
- 3 - FINISH GRADE TO DIRECT WATER AWAY FROM BUILDING FOUNDATIONS AND AWAY FROM PROPERTY LINES
- 4 - ALL DOWNSPOUTS FEED INTO SUB-GRADE STORM DRAINS TO DISCHARGE INTO ENERGY DISSIPATER IN GRAVEL LAYER OF RETENTION SECTION

GRADING & DRAINAGE PLAN - 1830 47TH STREET

SCALE: 3/16" = 1'-0"

L-2



M A R T I N
ARCHITECTURE
PLANNING DESIGN

43002 ARROYO SECO ROAD
SOLEDAD, CA. 93960
860.459.4629_cell

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CONSULTANTS

LICENSE STAMPS



PROJECT NAME
A NEW SINGLE FAMILY
RESIDENCE

WESTERVELT

1830 47TH AVE
CAPITOLA, CALIFORNIA
APN: 034-022-35

SHEET TITLE

EROSION CONTROL &
CONSTRUCTION BMPs

DRAWING STATUS

PLANNING SUBMITTAL

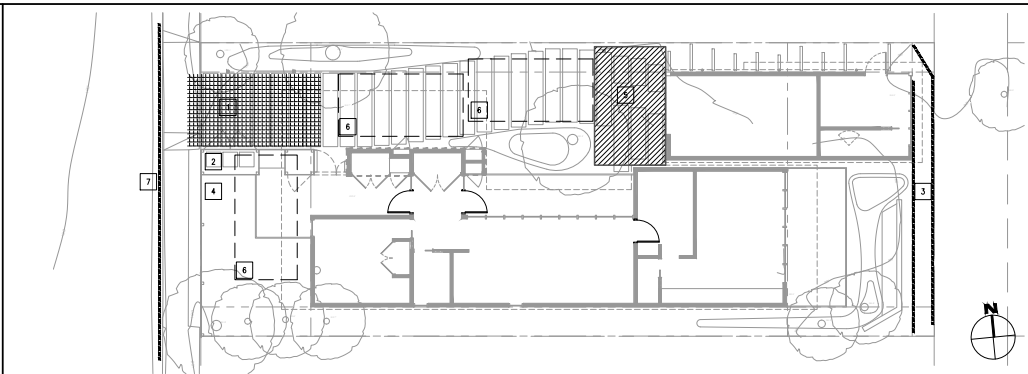
REVISIONS

Sym.	Description	Date

Drawn By	KM
Date Issued	06.02.2022
Scale	AS NOTED
Project No.	21040

SHEET No.

L-3



- | | |
|---|------------------------------|
| 1 STABILIZED CONSTRUCTION ENTRY/EXIT, PER CASQA TC-1 | 5 MATERIAL STORAGE, PER 4/- |
| 2 CONCRETE WASTE WASHOUT BASIN PER CASQA WM-8 | 6 CONSTRUCTION PARKING |
| 3 FIBER ROLLS PER 3/- MINIMUM 2 ROWS PER SLOPE @ 10'-0" APART | 7 GUTTER PROTECTION, PER 7/- |
| 4 PORTABLE SANITATION FACILITY PER 5/- | 8 |

EROSION CONTROL - 1830 47TH STREET

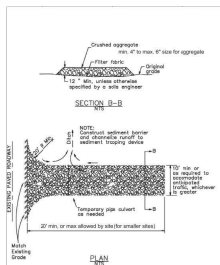
SCALE: 1/8" = 1'-0"

1. BEST MANAGEMENT PRACTICES (BMPs) AT A MINIMUM, THE FOLLOWING BMPs ARE REQUIRED REGARDLESS OF WEATHER CONDITIONS, AND AS APPLICABLE TO THE CONSTRUCTION ACTIVITIES PLANNED. VERIFY ALL OF THE BELOW MEASURES ARE ADDRESSED ON THE EDCP SUBMITTAL, AS APPLICABLE.
- A. WET WEATHER MEASURES IF POSSIBLE, AVOID LAND-DISTURBING ACTIVITIES DURING THE WET WEATHER SEASON - OCTOBER 15 THROUGH APRIL 15. OTHERWISE, EXTRA BMP MATERIALS (FILTERS, FIBER ROLLS, GRAVEL BAGS, MULCH/STRAW, PLASTIC COVERS) SHALL BE KEPT ON-SITE FOR PRE-RAIN INSTALL.
- B. EXISTING VEGETATION PROTECT EXISTING VEGETATION; AVOID REMOVAL AS REQUIRED AND WHEREVER POSSIBLE; INSTALL APPROPRIATE/PROTECTIVE FENCING, PERIMETER CONTROLS PRIOR TO WORK.
- C. EROSION AND SEDIMENT CONTROL AS APPLICABLE, SLOPE AND SOIL STABILIZATION BMPs SHALL BE UTILIZED TO PREVENT SLOPE EROSION AND SOIL MOVEMENT-ON-SITE AND OFF-SITE. NO SEDIMENT MAY LEAVE THE SITE, BE DEPOSITED OFF-SITE, OR POLLUTE STORM WATER RUNOFF FROM THE CONSTRUCTION SITE.
- D. STOCKPILE MANAGEMENT 1.) ALL STOCKPILES SHALL BE CONTAINED AND COVERED WHEN NOT ACTIVE, AND SECURED AT THE END OF EACH DAY. 2.) STOCKPILES SHALL BE SECURELY COVERED OVERNIGHT, AND PRIOR TO DURING, AND AFTER RAIN EVENTS. 3.) NO MATERIAL SHALL LEAVE THE SITE OR MOVE INTO STREET.
- E. WASTE MANAGEMENT ALL CONSTRUCTION WASTE SHALL BE CONTAINED AND SECURELY COVERED ONSITE, INCLUDING TRASH, PAINT, GROUT, CONCRETE, ETC. ANY WASH OUT FACILITY SHALL BE CONTAINED, MAINTAINED AND ITS CONTENTS DISPOSED OF PROPERLY; NO MATERIAL SHALL BE WASHED INTO STREET.
- F. VEHICLES AND EQUIPMENT RESPONSIBLE PARTIES MUST ENSURE ALL VEHICLES AND EQUIPMENT ARE MAINTAINED IN GOOD WORKING ORDER, WILL NOT CAUSE DIRT, MUD, OIL, GREASE, OR FUEL TO BE DISCHARGED OR TRACKED OFF-SITE INTO THE STREET. INACTIVE VEHICLES/EQUIPMENT MUST USE COVER AND/OR DRIP PANS.
- G. DRAINILET PROTECTION & PERIMETER CONTROLS DRAINS/INLETS THAT RECEIVE STORM WATER MUST BE COVERED OR OTHERWISE PROTECTED FROM RECEIVING SEDIMENT, MUD, DIRT, OR ANY DEBRIS, AND INCLUDE GUTTER CONTROLS AND FILTRATION WHERE APPLICABLE IN A MANNER NOT IMPEDING TRAFFIC OR SAFETY. PROPERLY INSTALLED SILT FENCING OR EQUIVALENT LINEAR CONTROL SHALL BE EVIDENT ALONG SITE PERIMETER TO PREVENT MOVEMENT OF SEDIMENT AND DEBRIS OFF-SITE. ALSO, CHANGING CONSTRUCTION CONDITIONS NECESSITATE THAT THE TYPE OF INLET AND DRAIN PROTECTION IMPLEMENTED BE CHANGED AND/OR ADJUSTED BY THE CONTRACTOR TO ADEQUATELY PROTECT THE STORM DRAIN SYSTEM DURING THE VARIOUS CONSTRUCTION PHASES.
- H. SWEEPING ALL IMPERVIOUS SURFACES (DRIVEWAYS, STREETS) SHALL BE PHYSICALLY SWEEPED (NOT WASHED OR HOSED DOWN), AND MAINTAINED FREE OF DEBRIS AND ACCUMULATIONS OF DIRT. NO TRACKING OFF-SITE.
- I. DEWATERING NO DEWATERING IS ALLOWED FROM CONSTRUCTION SITES UNLESS DISCHARGE IS AN EXCEPTION TO THE DISCHARGE PROHIBITION PER MONTEREY CITY CODE CH. 31.5-12(C). ASBS DRAINAGES HAVE GREATER RESTRICTIONS. ANY PROPOSED DEWATERING MUST BE REVIEWED/CLEARED BY CITY AND APPLICABLE REGULATORY AGENCIES.
- J. STORMWATER MIXED WITH NON-STORMWATER SHALL BE MANAGED AS NON-STORM WATER.

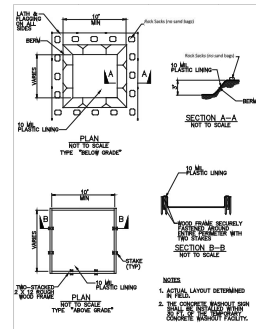
EROSION AND SEDIMENT CONTROL NOTES

SCALE: 1/8" = 1'-0"

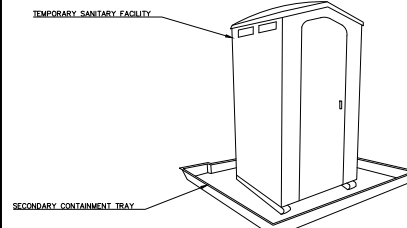
Stabilized Construction Entrance/Exit TC-1



Concrete Waste Management WM-8



TEMPORARY SANITARY FACILITY

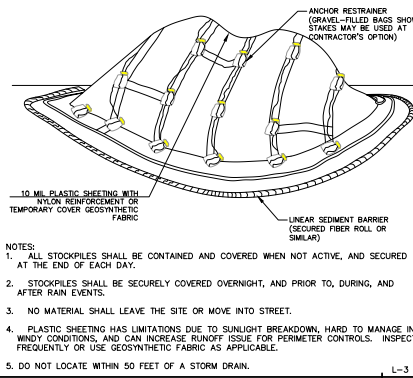


STORAGE AND DISPOSAL PROCEDURES

- TEMPORARY SANITARY FACILITIES SHOULD BE LOCATED AWAY FROM DRAINAGE FACILITIES, WATERCOURSES, AND FROM TRAFFIC CIRCULATION. IF SITE CONDITIONS ALLOW, PLACE PORTABLE FACILITIES A MINIMUM OF 50 FEET FROM DRAINAGE CONVEYANCES AND TRAFFIC AREAS.
- WHEN SUBJECTED TO HIGH WINDS OR RISK OF HIGH WINDS, TEMPORARY SANITARY FACILITIES SHOULD BE SECURED TO PREVENT OVERTURNING.
- TEMPORARY SANITARY FACILITIES MUST BE EQUIPPED WITH SECONDARY CONTAINMENT TRAYS TO PREVENT DISCHARGE OF POLLUTANTS TO THE STORMWATER DRAINAGE SYSTEM OF THE RECEIVING WATER.
- ARRANGE FOR REGULAR WASTE COLLECTION, DO NOT ALLOW SANITARY FACILITY TO BECOME DISGUISED.

SANITARY WASTE MANAGEMENT

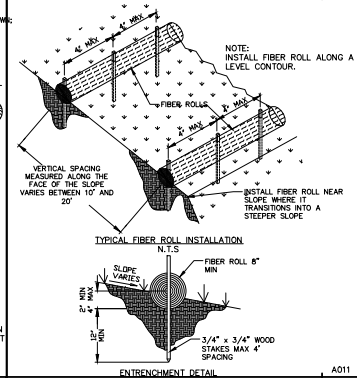
SCALE: NTS



- NOTES:
- ALL STOCKPILES SHALL BE CONTAINED AND COVERED WHEN NOT ACTIVE, AND SECURED AT THE END OF EACH DAY.
 - STOCKPILES SHALL BE SECURELY COVERED OVERNIGHT, AND PRIOR TO, DURING, AND AFTER RAIN EVENTS.
 - NO MATERIAL SHALL LEAVE THE SITE OR MOVE INTO STREET.
 - PLASTIC SHEETING HAS LIMITATIONS DUE TO SUNLIGHT BREAKDOWN, HARD TO MANAGE IN WINDY CONDITIONS, AND CAN INCREASE RUNOFF ISSUE FOR PERIMETER CONTROLS. INSPECT FREQUENTLY OR USE GEOSYNTHETIC FABRIC AS APPLICABLE.
 - DO NOT LOCATE WITHIN 50 FEET OF A STORM DRAIN.

TEMPORARY COVER ON STOCKPILE

SCALE: NTS



FIBER ROLLS

SCALE: NTS

STABILIZED CONSTRUCTION ENTRANCE

SCALE: NTS

CURB & GUTTER CONTAINMENT

SCALE: NTS

SANITARY WASTE MANAGEMENT

SCALE: NTS

TEMPORARY COVER ON STOCKPILE

SCALE: NTS

FIBER ROLLS

SCALE: NTS

Design Permit Design Review Criteria

17.120.070 Design review criteria. When considering design permit applications, the city shall evaluate applications to ensure that they satisfy the following criteria, comply with the development standards of the zoning district, conform to policies of the general plan, the local coastal program, and any applicable specific plan, and are consistent with any other policies or guidelines the city council may adopt for this purpose. To obtain design permit approval, projects must satisfy these criteria to the extent they apply.

- A. Community Character. The overall project design including site plan, height, massing, architectural style, materials, and landscaping contribute to Capitola's unique coastal village character and distinctive sense of place.
- B. Neighborhood Compatibility. The project is designed to respect and complement adjacent properties. The project height, massing, and intensity is compatible with the scale of nearby buildings. The project design incorporates measures to minimize traffic, parking, noise, and odor impacts on nearby residential properties.
- C. Historic Character. Renovations and additions respect and preserve existing historic structure. New structures and additions to non-historic structures reflect and complement the historic character of nearby properties and the community at large.
- D. Sustainability. The project supports natural resource protection and environmental sustainability through features such as on-site renewable energy generation, passive solar design, enhanced energy efficiency, water conservation measures, and other green building techniques.
- E. Pedestrian Environment. The primary entrances are oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment.
- F. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimizes privacy impacts on adjacent properties and provides adequate privacy for project occupants.
- G. Safety. The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility and features that promote a sense of ownership of outdoor space.
- H. Massing and Scale. The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.
- I. Architectural Style. Buildings feature an architectural style that is compatible with the surrounding built and natural environment, is an authentic implementation of appropriate established architectural styles, and reflects Capitola's unique coastal village character.
- J. Articulation and Visual Interest. Building facades are well articulated to add visual interest, distinctiveness, and human scale. Building elements such as roofs, doors, windows, and

porches are part of an integrated design and relate to the human scale. Architectural details such as trim, eaves, window boxes, and brackets contribute to the visual interest of the building.

- K. **Materials.** Building facades include a mix of natural, high quality, and durable materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.
- L. **Parking and Access.** Parking areas are located and designed to minimize visual impacts and maintain Capitola's distinctive neighborhoods and pedestrian-friendly environment. Safe and convenient connections are provided for pedestrians and bicyclists.
- M. **Landscaping.** Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.
- N. **Drainage.** The site plan is designed to maximize efficiency of on-site drainage with runoff directed towards permeable surface areas and engineered retention.
- O. **Open Space and Public Places.** Single-family dwellings feature inviting front yards that enhance Capitola's distinctive neighborhoods. Multifamily residential projects include public and private open space that is attractive, accessible, and functional. Nonresidential development provides semi-public outdoor spaces, such as plazas and courtyards, which help support pedestrian activity within an active and engaging public realm.
- P. **Signs.** The number, location, size, and design of signs complement the project design and are compatible with the surrounding context.
- Q. **Lighting.** Exterior lighting is an integral part of the project design with light fixtures designed, located, and positioned to minimize illumination of the sky and adjacent properties.
- R. **Accessory Structures.** The design of detached garages, sheds, fences, walls, and other accessory structures relates to the primary structure and is compatible with adjacent properties.
- S. **Mechanical Equipment, Trash Receptacles, and Utilities.** Mechanical equipment, trash receptacles, and utilities are contained within architectural enclosures or fencing, sited in unobtrusive locations, and/or screened by landscaping.

Capitola Planning Commission

Agenda Report



Meeting: September 1, 2022

From: Community Development Department

Address: State Route 1 Auxiliary Lane Improvements

Permit Number: #22-0223

APN: N/A

Coastal Development Permit and Tree Removal Permit for auxiliary lanes, bus on shoulder improvements, replacement of the Capitola Avenue Overcrossing, new landscaping, and soundwalls. The project is located within the Coastal Overlay zone and partially within a Planned Development zoning district.

The project is located within the Coastal Zone and requires a Coastal Development Permit which is appealable to California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: FEIR CA Dept. of Transportation, May 2021

Property Owner(s): State of California and Capitola Knolls HOA

Representative: Sarah Christensen, RTC

Project Overview

The Santa Cruz County Regional Transportation Commission (RTC), in a joint effort with Caltrans District 5 and the County of Santa Cruz, has developed a Highway 1 Auxiliary Lanes and Bus-on-Shoulder project between Bay Avenue/Porter Street and State Park Drive. The project also includes improving the outside shoulders, constructing a new pedestrian and bicycle overcrossing at Mar Vista Drive, adding retaining walls near the Bay Avenue/Porter Street interchange, rebuilding and widening the Capitola Avenue overcrossing to accommodate standard sidewalk widths and bike lanes, replacing the outside barrier at the Park Avenue undercrossing, installing major landscaping improvements and installing soundwalls.

The project requires Planning Commission approval of a Coastal Development Permit and Tree Removal Permit for portions of the project that intersect with the Coastal Zone and the ESHA boundary. The city's authority is limited in scope to ensure consistency with the Coastal Act through the Local Coastal Program (LCP) and issuance of the Coastal Development Permit (CDP), and not to evaluate project necessity or merits outside of this role. As such, tree removal and auxiliary lane review for consistency with the LCP are appropriate while aesthetic review of signage and soundwalls is not. The city is not the lead agency for the environmental review but can require conditions and mitigation to ensure compliance with the LCP, which may be in addition to mitigation currently identified in the Final Environmental Impact Report, 2021.

Background

On May 10, 2021, the Final Environmental Impact Report (FEIR) was completed by the California Department of Transportation.

RTC informally presented the project to the City Council in February 2022 requesting design feedback on walls, landscaping, and aesthetics.

The project is currently in the permitting phase and construction is tentatively scheduled to start in 2023 with a two-year duration.

Discussion

The project area encompasses a total length of about three miles with 1.7 miles being within the Capitola boundary of which approximately one mile is within the City's Coastal Zone. The property is owned by the California Department of Transportation (Caltrans) and the area within the Coastal Zone is subject to a Coastal Development Permit (CDP).

Most of the project is proposed to be executed in the existing Caltrans right of way however, minor land acquisitions or legal agreements will be necessary for the proposed locations of sound walls that are within the city limits and not currently within the Caltrans right of way. Specifically, the RTC is in negotiations with the Capitola Knolls Homeowner's Association to either acquire portions of HOA property adjacent to State Route 1 or record legal agreements to install soundwalls which extend into the Knolls property. The city may be involved in the future if the agreement involves minor land divisions, lot line adjustments, or zoning boundary changes. A condition of approval is included to ensure soundwalls are not constructed beyond the Caltrans property without documentation of a recorded legal agreement or a boundary adjustment.

Tree Removal and Landscaping

This project design team has prioritized tree impact minimization and maintaining the aesthetic of the highway for both cost and environmental reasons. The large project area nonetheless results in many trees proposed for removal. The following table describes the 224 trees to be removed within the Coastal Zone.

Tree Removal in the City of Capitola Coastal Zone	
	Total
Coast Live Oak <20"	112
Coast Live Oak >20"	14
Native Non-Oak <20"	50
Native Non-Oak >20"	4
Non-Native <20"	44
Non-Native >20"	0
Total Tree Removals	224

In preparation of the EIR, the project applicant considered project alternatives and chose to utilize the existing wide median rather than widening towards the outside of the highway. This option reduces impacts to the existing vegetation along the highway. In the design phase, the applicant further developed cost saving and impact reducing measures that includes a reduced shoulder in areas along the corridor to avoid impacts to riparian areas and further limit tree impacts. Within city limits, this approach was incorporated in the design at the overcrossing of the Nobel Gulch Riparian Area which is part of the City's Environmentally Sensitive Habit Area (ESHA). Within the riparian area, seven non-native trees located in the narrow landscape area between Kennedy

Drive and Highway 1 are proposed for removal. (Attachment 4. Tree Removal Plan. Page SD-10)

Proposed mitigation planting includes a select list of mostly native and drought tolerant trees that will result in a tree replacement at just over a 1:1 ratio. Capitola's Tree Ordinance requires replacement trees at a two to one ratio unless post-removal tree canopy coverage on the site will be thirty percent or more. Staff estimates that existing canopy coverage is 31.3% of the project area within the Coastal Zone. Canopy removed is estimated at 82,000 square feet and the replacement trees canopy is estimated at 114,000 square feet at maturity. Therefore, the post tree removal canopy coverage results in a net increase and continue to exceed the 30 percent requirement at maturity. Together with the proposed shrubs, groundcover, and vines, the proposed landscape plan provides layers of compatible landscaping that will improve the overall aesthetic at maturity and exceed the City's canopy coverage goal.

Proposed Plantings in the City of Capitola Coastal Zone	
	Total
Trees	
Deodar Cedar (tree)	8
Western Rosebud (tree)	97
Monterey Cypress (tree)	27
Pacific Wax Myrtle (tree)	49
Coast Live Oak (tree)	53
Tree Total	234
Shrubs	
Bearberry Cotoneaster (shrub)	293
Bush Anemone (shrub)	30
California Lilac (shrub)	31
Coffeeberry (shrub)	96
Indian Hawthron (shrub)	48
Shrubs Total	498
Groundcover & Vines	
Blood Red Trumpet Vine (vine)	69
Creeping Fig (vine)	70
Lilac Vine (vine)	32

Dwarf Coyote Bush (ground cover)	101
Kinnikinnick (ground cover)	204
Groundcover & Vines Total	476
All Plantings Total	1,208

Sound Walls

Six sections of soundwalls are proposed within Capitola city limits to mitigate freeway noise from sensitive receptor sites. The FEIR includes a baseline ambient noise study and prepared detailed noise reduction models to achieve maximum sound attenuation, minimize direct line of sight from the height of truck exhaust stacks, with the lowest wall height. Wall heights within the Capitola portion of the project range from eight to 14 feet tall. The walls extend through sections of wooded and steep terrain. The approach was again to minimize tree loss and impact where possible. The wall will be built with pier foundations to minimize impacts to roots of trees not intended for removal.

The proposed soundwalls do not obstruct access or visibility to the coast. The project FEIR analyzed views and visual impacts in detail. Additionally, the Coastal Commission specifically commented on this topic during the EIR comment period with a focus on the visibility of the soundwalls. In response to those comments, the project design team conducted additional public outreach for feedback on the visual elements of the project. The outreach included mailers, surveys, and meetings to solicit further feedback on retaining/soundwall aesthetics and proposed planting species along with bridge aesthetics, bridge barrier aesthetics, median concrete barrier staining, and Midwest guardrail staining.

Temporary Impacts

Temporary impacts will involve traffic control and detours. The greatest impact within Capitola will be at the Capitola Avenue overcrossing. The Public Works Department has worked continuously with the project design team through the design evolution of the project and will continue to be involved during construction and implementation. A detour route and traffic control plans will be established through the duration of this project phase.

ESHA

The project area intersects the Environmentally Sensitive Habitat Area (ESHA) at Nobel Creek. There is a soundwall proposed in this location at the upstream face of the Nobel Creek cross-drainage culverts on the north side of State Route 1 bordering Soquel. All associated embankment fill would be above an elevation of 85 feet North American Vertical Datum 88 per the current roadway design. Therefore, the soundwalls would be outside of the base floodplain and are not expected to cause any impacts on the Nobel Creek floodway. On both sides of the highway, the shoulder paving will not exceed the current footprint in this area.

Local Coastal Program

The FEIR prepared an itemized analysis of consistency and compliance with the Capitola LCP. Excerpted pages are included in Attachment 6. The proposed project ultimately improves traffic congestion and access to coastal resources and Capitola Village. The project also improves bus,

bike, and pedestrian infrastructure. The project design adjusts where it intersects with the Nobel Gulch Riparian area by keeping soundwalls above the floodplain and narrowing the shoulder to avoid any new paving footprint. There are no direct visual impacts to the shoreline or coastline from the project within city limits. Visual impacts are primarily related to vegetation removal/replanting and installation of soundwalls. The applicant has performed extensive community and stakeholder outreach and evaluated impacts, alternatives, and tradeoffs thoroughly. In conclusion, the project complies with all the required findings for a Coastal Development Permit as outlined in the findings section below.

CEQA

The California Department of Transportation (Department), as assigned by the Federal Highway Administration, has prepared a Final Environmental Impact Report/Environmental Assessment for the proposed project located in Santa Cruz County, California. The Department is the lead agency under the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA). The FEIR is viewable at link:

<https://sccrtc.org/wp-content/uploads/2021/05/FinalEIREA-StateRoute1BayPorter-StPark-AuxiliaryLanes.pdf>

Recommendation: Staff recommends the Planning Commission consider application #22-0223 and approve the project with the following Conditions and Findings for Approval.

Conditions of Approval

1. The project approval consists of a Coastal Development Permit and Tree Removal Permit to develop Highway 1 Auxiliary Lanes and Bus-on-Shoulder project between Bay Avenue/Porter Street and State Park Drive for the area of Highway 1 located within the Coastal Zone. The project also includes improving the outside shoulders, constructing a new pedestrian and bicycle overcrossing at Mar Vista Drive, adding retaining walls near the Bay Avenue/Porter Street interchange, rebuilding and widening the Capitola Avenue overcrossing to accommodate standard sidewalk widths and bike lanes, replacing the outside barrier at the Park Avenue undercrossing, installing major landscaping improvements and installing soundwalls. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 1, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The Final EIR adopted avoidance, minimization, and/or mitigation measures shall be followed for the project.
3. The RTC shall execute legal agreements and/or complete any necessary lot line/boundary adjustments, prior to any work in the area outside of the existing Caltrans right of way. The RTC and Capitola Knolls HOA shall work with the city, as needed, to complete any necessary lot line adjustments or alterations to land boundaries.

Coastal Findings

1. **The project is consistent with the LCP land use plan, and the LCP implementation program.** The proposed project conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program. The applicant has prepared an exhaustive analysis of the LCP, engaged with city staff, Coastal Commission staff, stakeholders, and the community.

2. **The project maintains or enhances public views.** The proposed project will impact views along the highway. The applicant has evaluated the need for soundwalls and performed a performance benefit and efficiency analysis to minimize wall height to the extent possible. The walls will be constructed of a stacked and staggered (mixed) block wall and planted with creeping vines. Vegetation removed is replaced with a select and primarily native plant list. Views will change but there are no views to the coast, shoreline or major landmark that will be impacted.
3. **The project maintains or enhances vegetation, natural habitats and natural resources.** The proposed project will remove 108 non-native trees and replant with only native and drought tolerant specimens. The project also adjusts to minimize impacts to the Nobel Gulch Riparian area. Vegetation will be disrupted in the short term and enhanced after project completion.
4. **The project maintains or enhances low-cost public recreational access, including to the beach and ocean.** The project purpose is to improve access and ease traffic. Access to public recreational resources will benefit from the project for all transportation modes.
5. **The project maintains or enhances opportunities for visitors.** The project will maintain opportunities for visitors while improving access.
6. **The project maintains or enhances coastal resources.** The project maintains coastal resources while improving access.
7. **The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.** The project is consistent with local policy documents and the LCP. The applicant has communicated formally and informally with the city, stakeholders, and the community in preparation of the project design.
8. **The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).** The project will improve public and visitor access to coastal resources and recreation.

Attachments

**Note: All project plans and exhibits are oriented with South at the top of the page.*

1. Project Overview Slideshow
2. Soundwall Detail
3. Land Acquisition Plan
4. Tree Removal Plans
5. Capitola ESHA Map
6. FEIR Excerpt – LCP Analysis
7. Landscape Plans

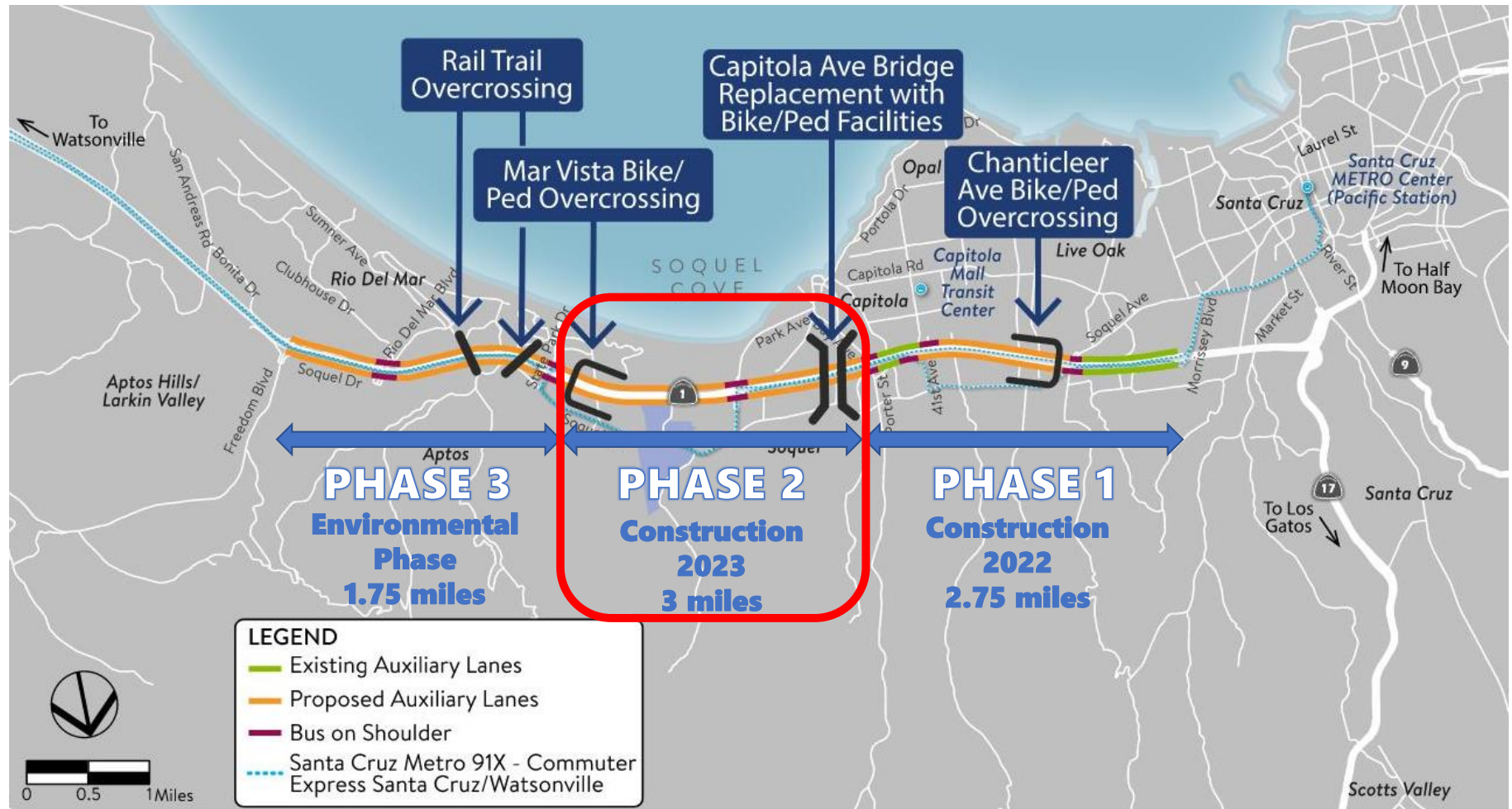
Highway 1 Aesthetics



Sarah Christensen P.E., SCCRTC
Kira Caselli P.E., Mark Thomas (Designer)


February 10, 2022

Highway 1 Program

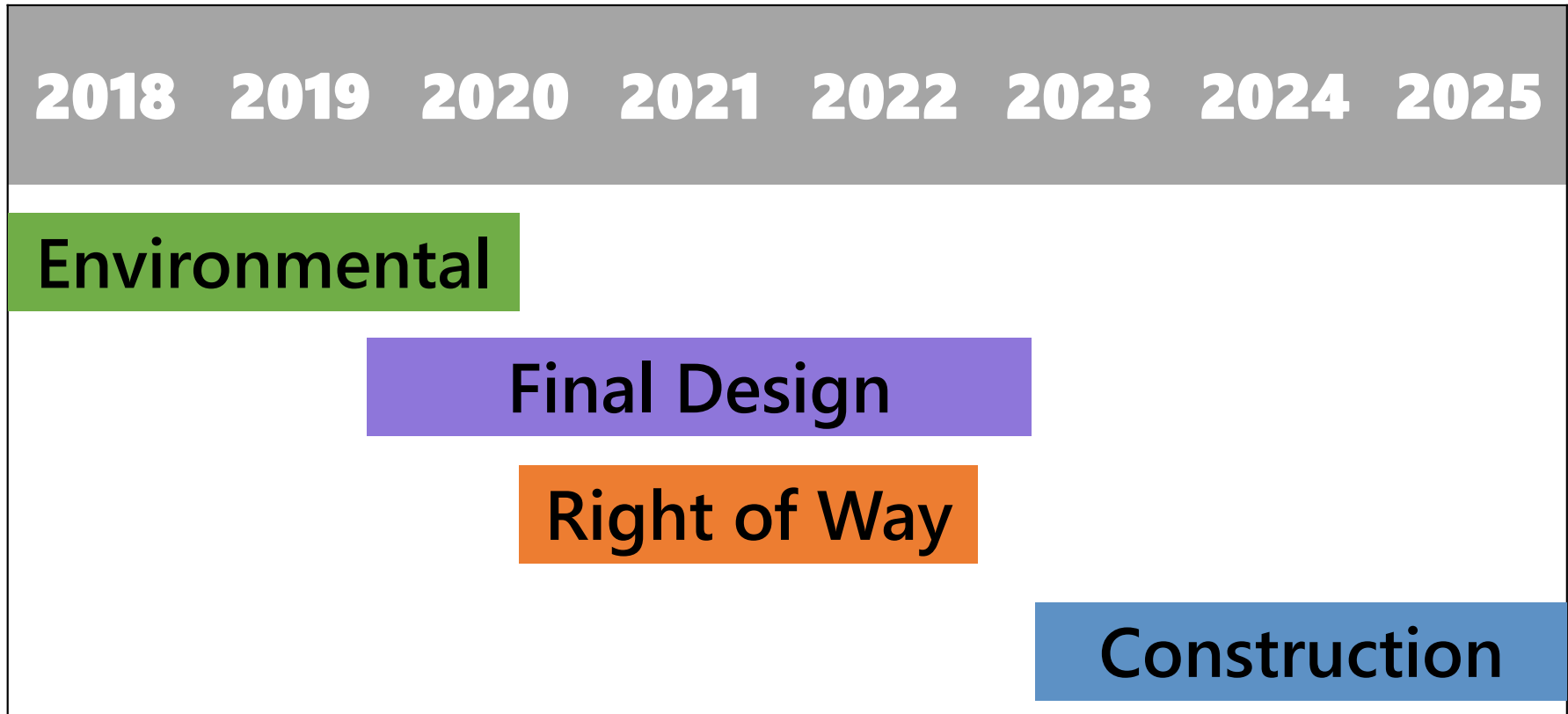


Project Overview





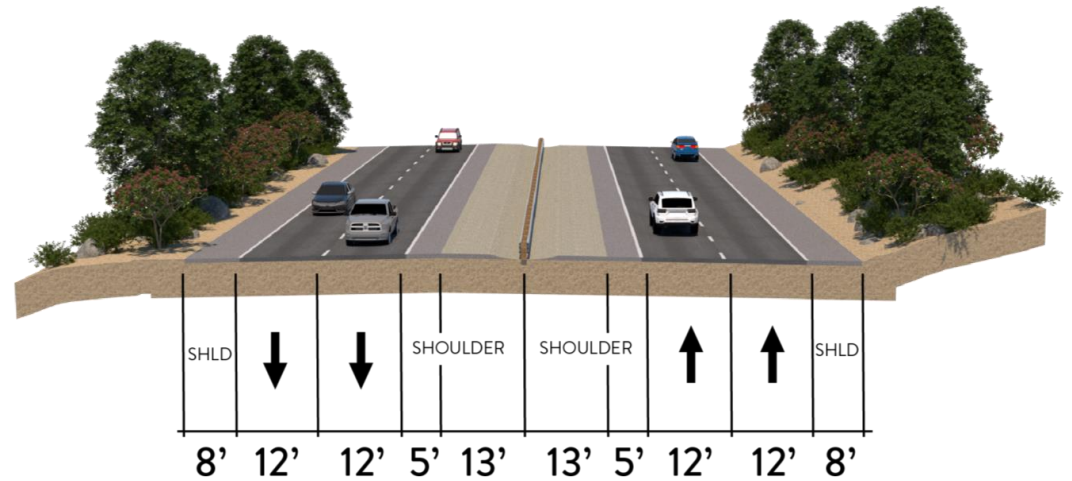
Highway 1 - Schedule



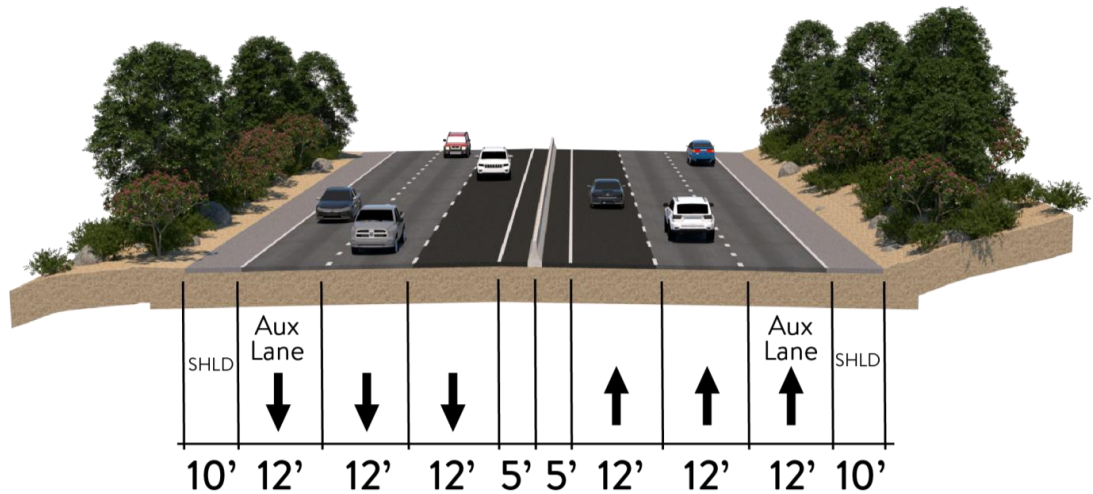


Highway 1

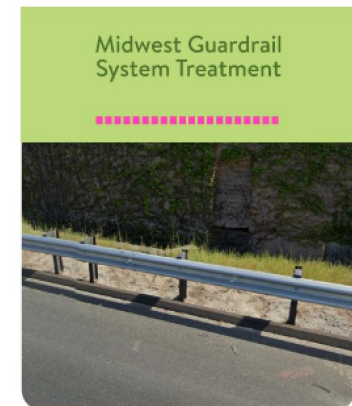
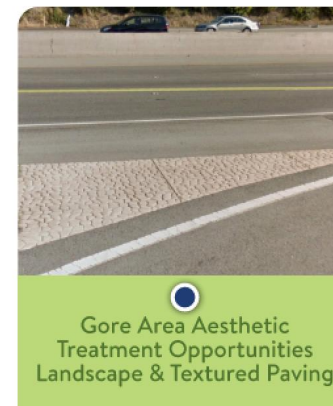
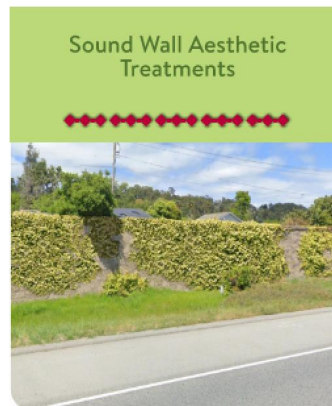
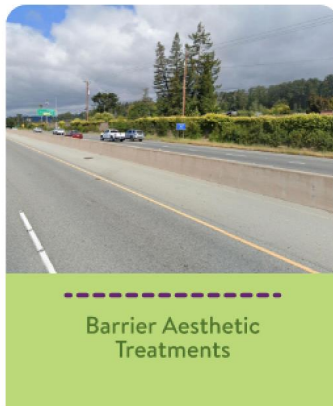
EXISTING



PROPOSED



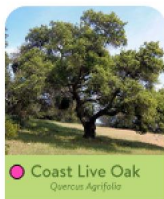
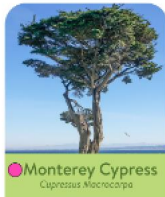
Highway 1 – Aesthetic Opportunities



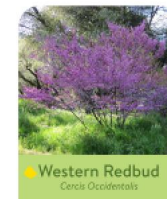
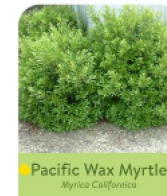
Highway 1 – Aesthetic Opportunities



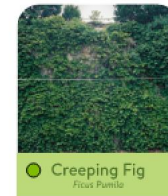
TREES



SHRUBS



VINES





Capitola Avenue Bridge

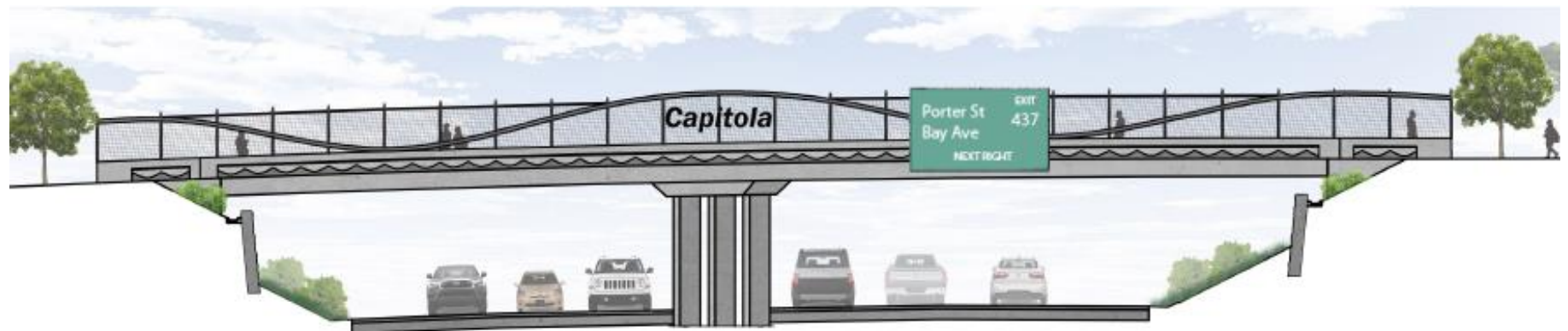
Fonts:

Capitola

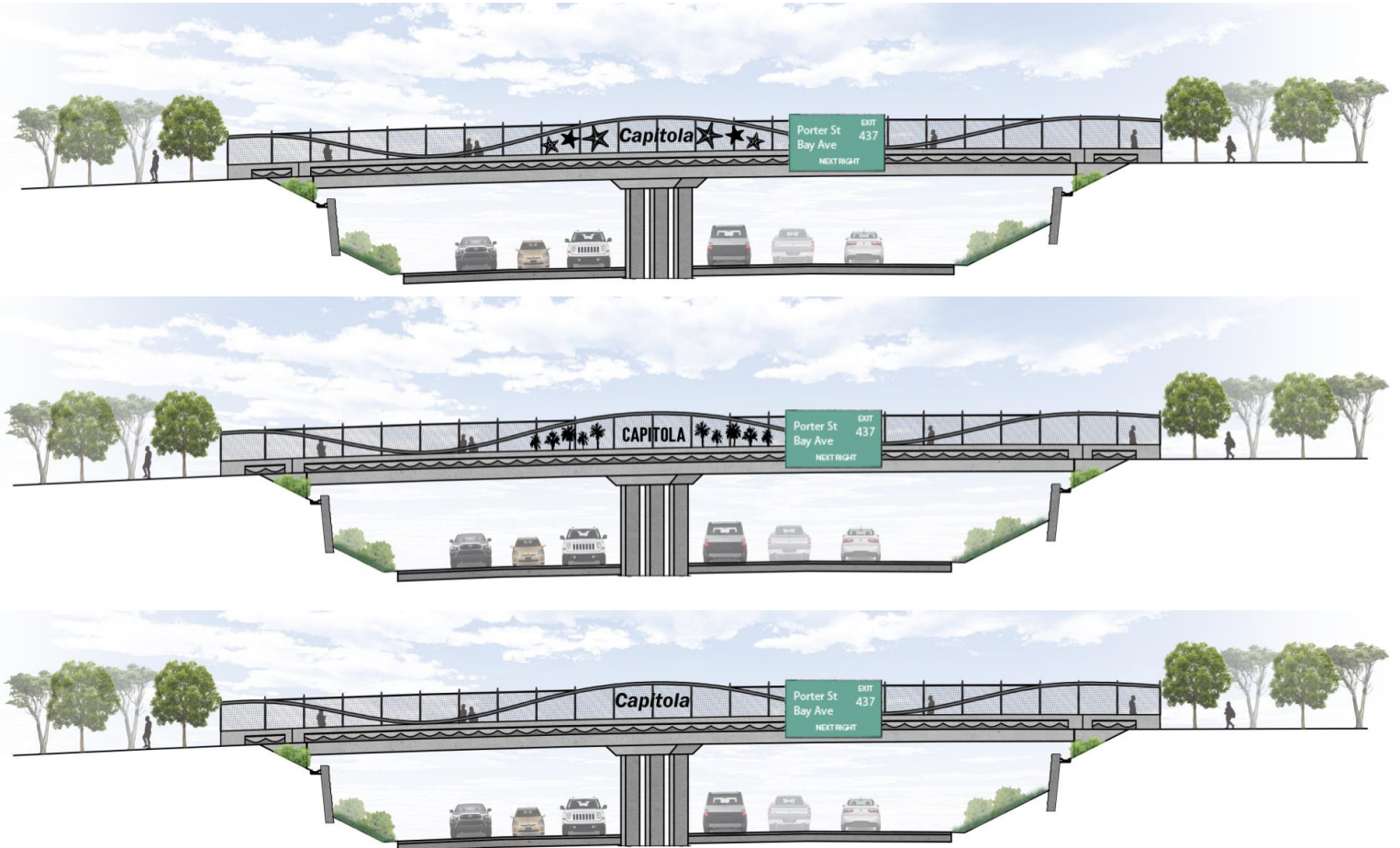
Franklin Gothic Demi

CAPITOLA

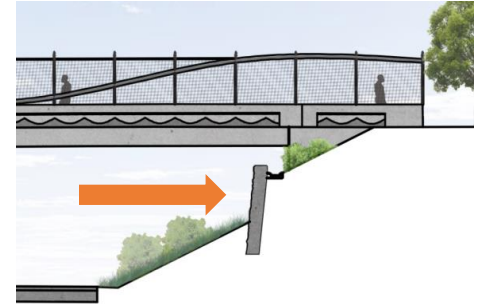
Angela Love Sans Regular



Capitola Avenue Bridge – Fence Decorations



Retaining Wall Colors



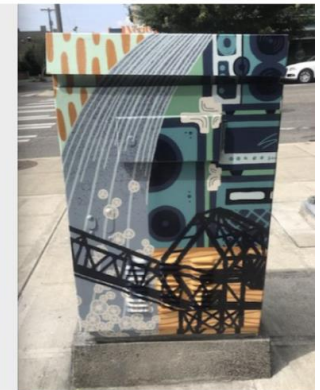
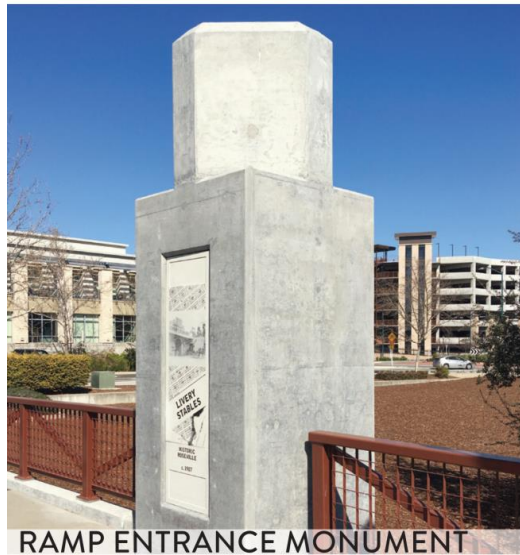
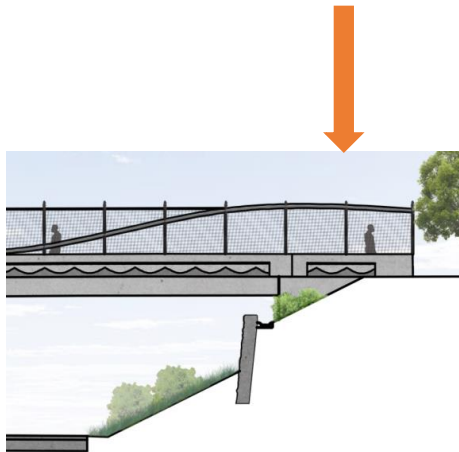
NEWPORT SANDSTONE



SANTA CRUZ LIMESTONE



Bridge Entrance Columns

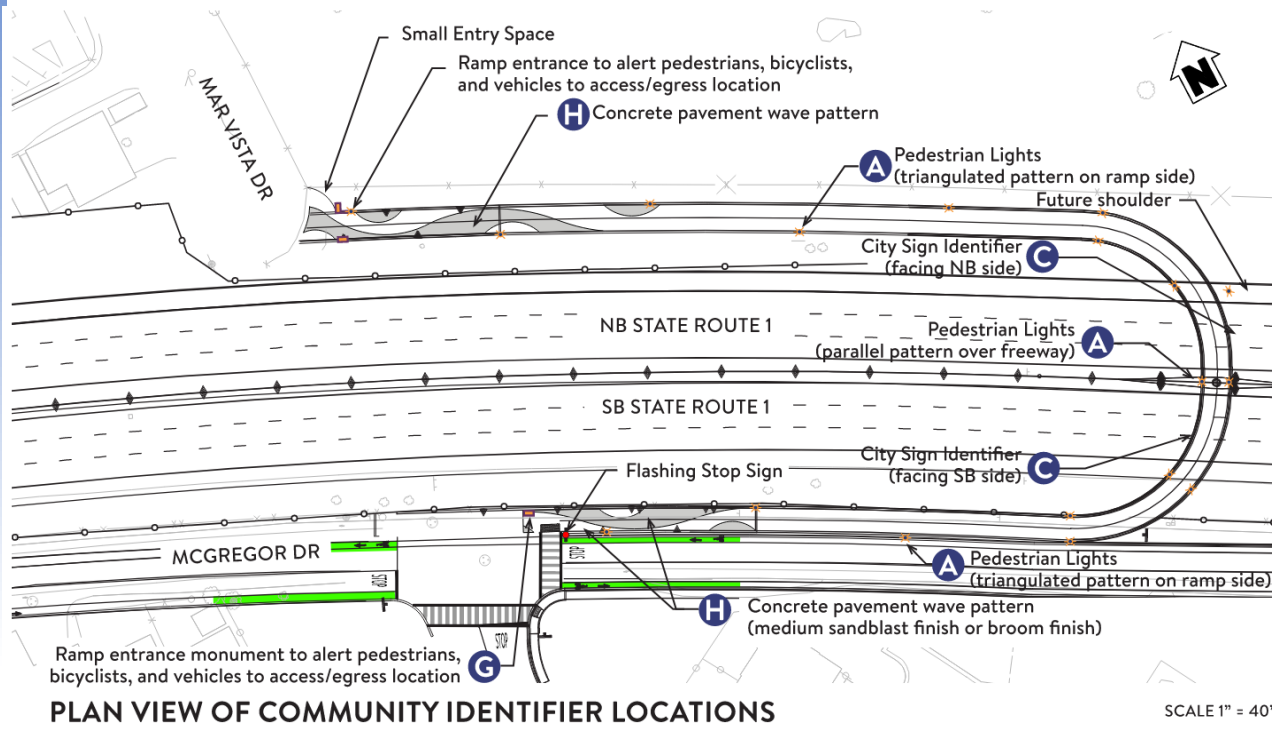




Bridge Barrier



Mar Vista Bicycle & Pedestrian Bridge



Mar Vista Bicycle & Pedestrian Bridge

Fonts:

APTOS

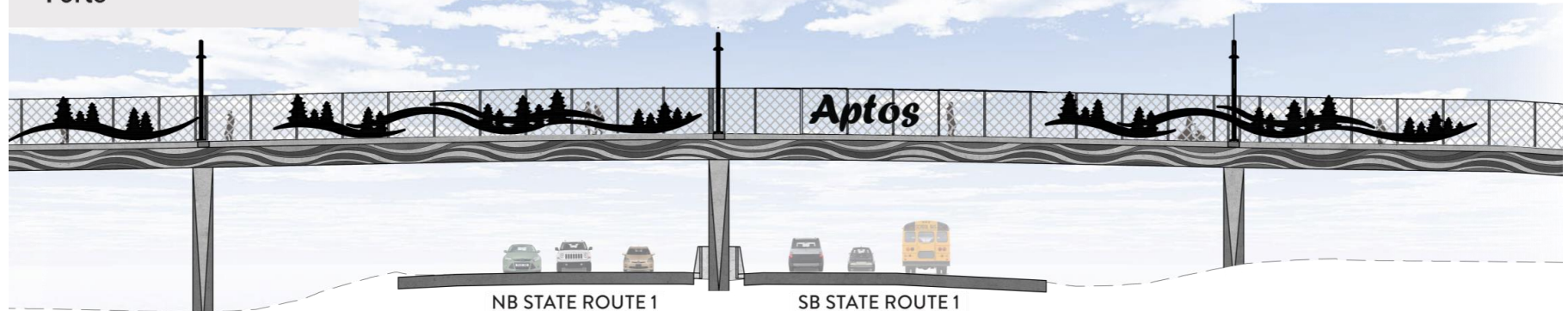
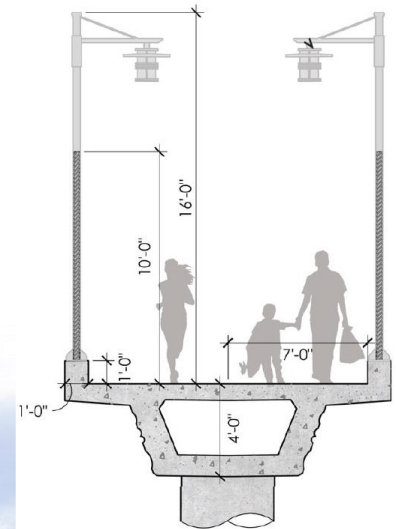
Charmini Extra Bold Alt

APTOS

Britannic Bold Italic

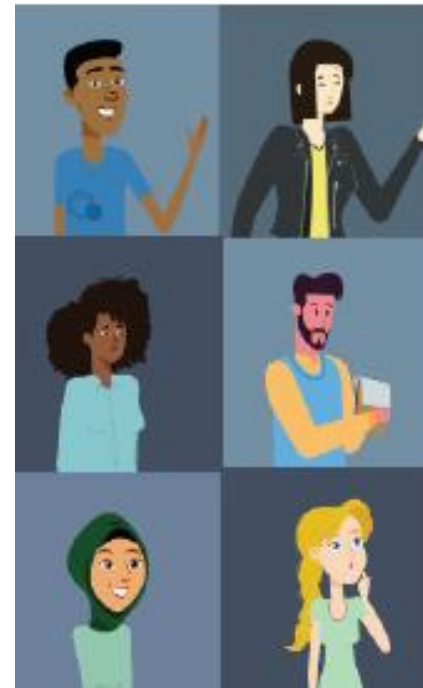
Aptos

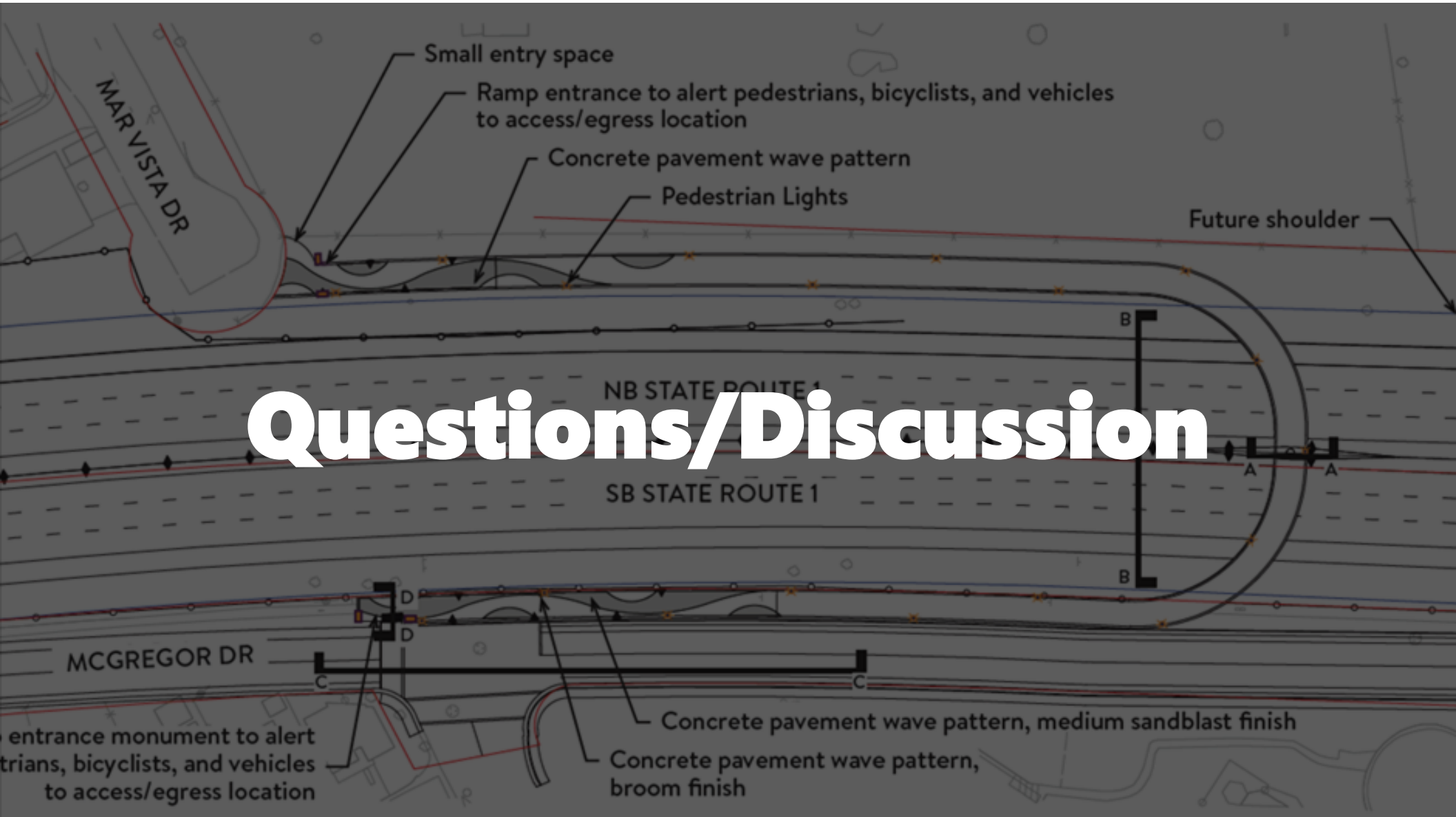
Forte



Provide feedback:

View the video and
take the survey





Questions/Discussion

A cross-section diagram of a bridge deck. The deck is supported by three main piers. The left pier is labeled 'EXISTING COLUMN' and the right pier is also labeled 'EXISTING COLUMN'. The bridge deck is divided into several lanes. From left to right, the lanes are: a 'PROPOSED AUX LANE' (12' wide), two 'EXISTING' lanes (each 12' wide), a 5' gap, another 5' gap, two more 'EXISTING' lanes (each 12' wide), and a final 'PROPOSED AUX LANE' (12' wide). The total width of the bridge deck is 29'. The diagram shows a car in the leftmost lane and a car in the rightmost lane. The bridge deck is supported by a concrete structure. The background shows a blue sky with white clouds.

97



Capitola Avenue Detour



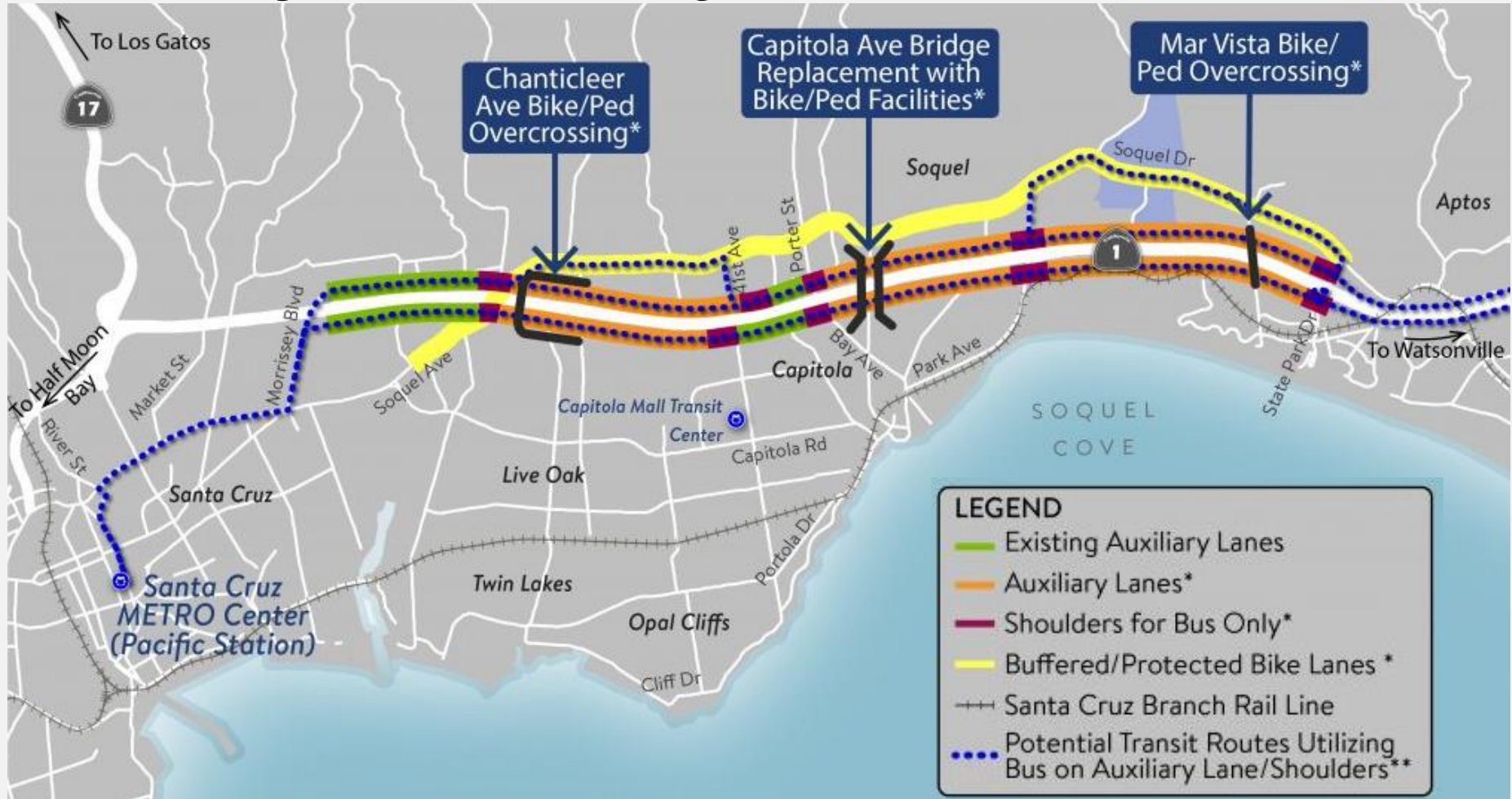


Project Funding

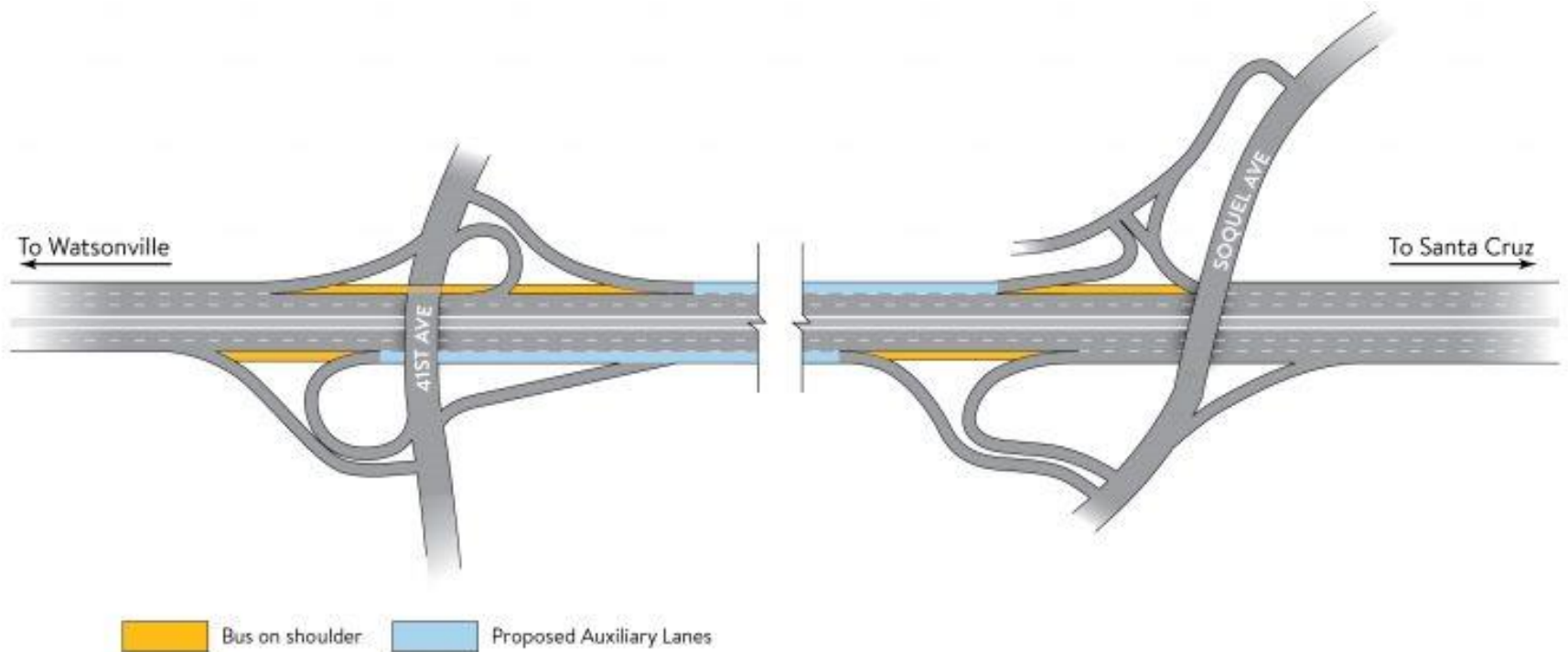
Funding Source	Amount (In Thousands)
Measure D	\$12,670
State Transportation Improvement Program (STIP)	\$8,609
Senate Bill 1	\$67,676
Total	\$88,955



SB1 Cycle 2 Project



Bus on Shoulder



Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	SCr	1	10.5/13.4	387	654

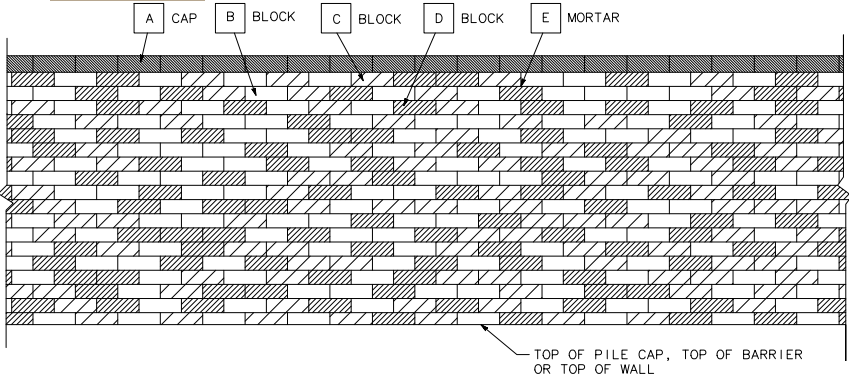
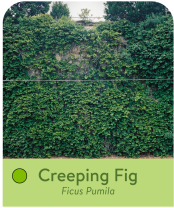
100% SUBMITTAL
REGISTERED CIVIL ENGINEER DATE _____
PLANS APPROVAL DATE _____
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.
No. _____ Exp. _____
CIVIL
STATE OF CALIFORNIA

MARK THOMAS 701 UNIVERSITY AVENUE SUITE 200 SACRAMENTO, CA 95825	SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION 1523 PACIFIC AVENUE SANTA CRUZ, CA 95060
---	--

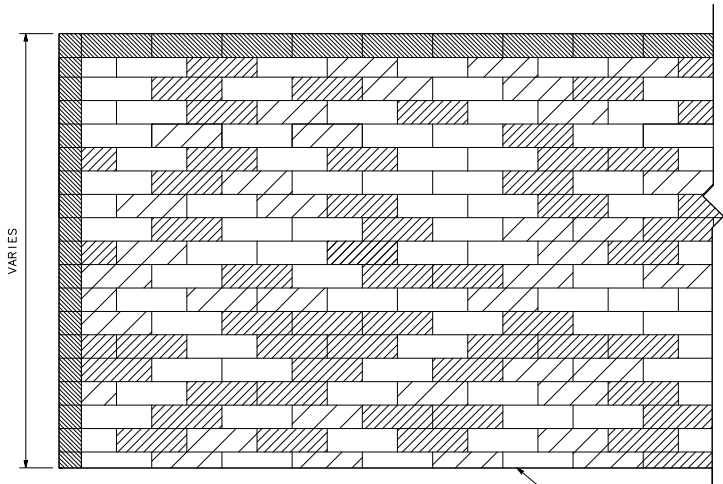
MASONRY UNIT COLOR KEY

A	FEDERAL COLOR 26306	
B	FEDERAL COLOR 23531	
C	FEDERAL COLOR 20372	
D	FEDERAL COLOR 20460	
E	FEDERAL COLOR 20372	

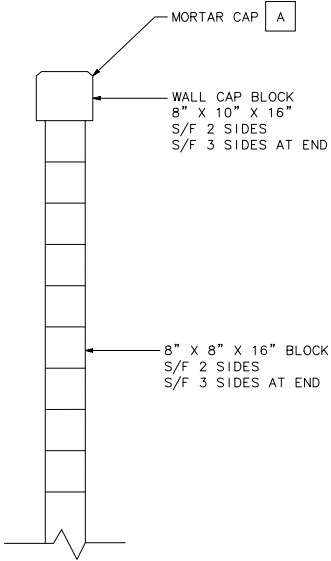
VINES



SOUNDWALL PATTERN, 'MIXED BLOCK'
ELEVATION
NO SCALE



END WALL CONDITION
NO SCALE



SECTION
NO SCALE

NOTES:

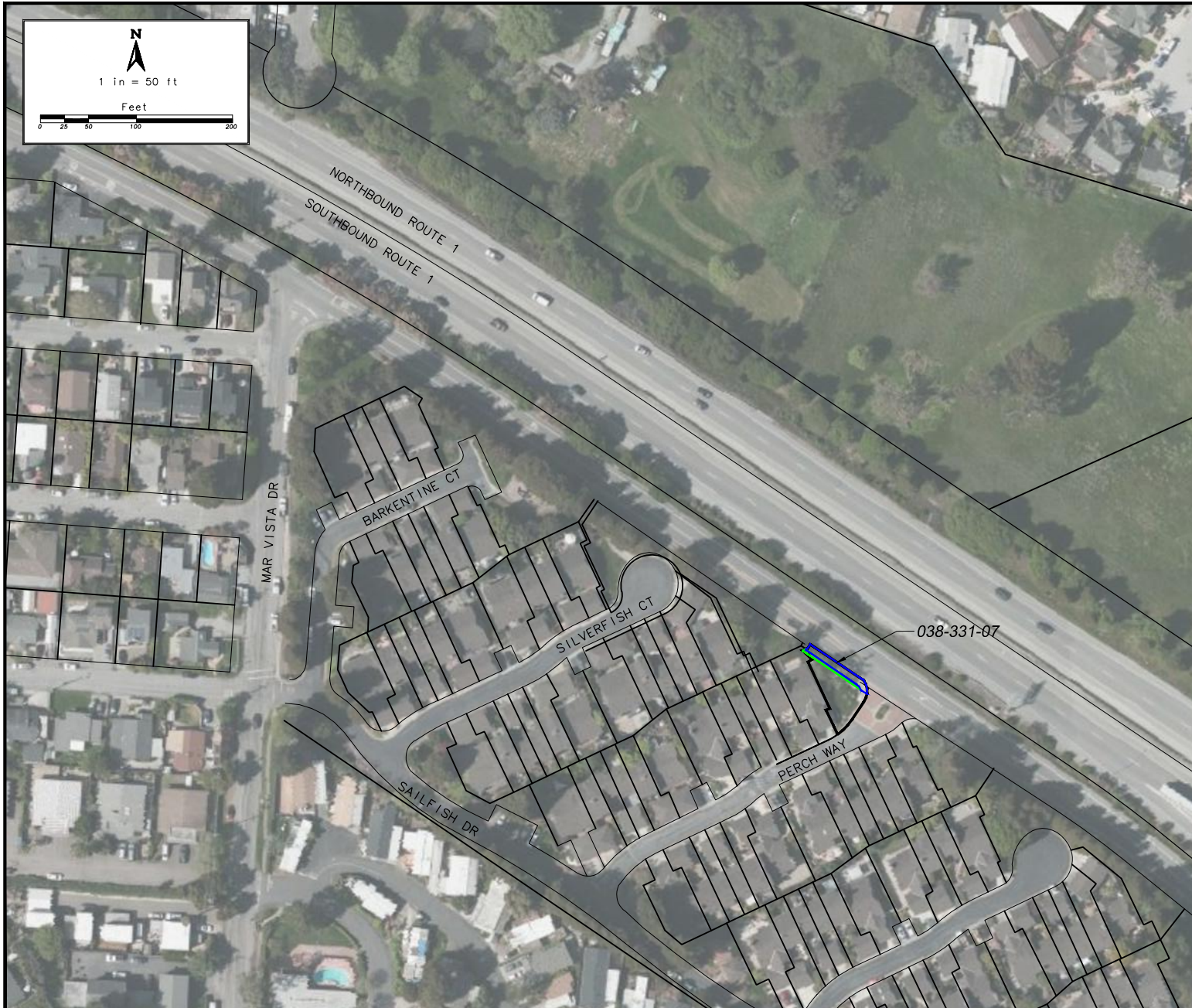
1. ALL SOUNDWALLS SHALL BE CONSTRUCTED WITH THE 'MIXED BLOCK' PATTERN AS SHOWN.
2. 'MIXED' PATTERN SHALL BE CONSTRUCTED SO THAT NO MORE THAN 3 BLOCKS OF THE SAME COLOR ARE TOGETHER.
3. MASONRY BLOCKS SHALL BE ARRANGED IN A RUNNING BOND PATTERN.
4. MORTAR IN BLOCK JOINTS SHALL BE TOOLED CONCAVE.

SOUND WALL DETAILS
NO SCALE

SWD-1

State Route 1 Auxiliary Lanes between State Park Dr. and Bay Ave/Porter St.
Owner Information/APNs

APN(s)	Owner's Information	
	Name	Address
000-000-00	State of California, Department of Transportation, District 5	Hwy 1 Right of Way
038-311-40, 038-331-07, 038-531-19	Sea Breeze Homeowners Association	No situs, Aptos, CA 95003
036-274-69, 036-511-18, 036-522-29, 036-522-30	Capitola Knolls Homeowners Association, et al	NWC of Kennedy Drive and Park Avenue, Capitola, CA 95010
030-242-17	Gilmore Family Trust	2501 Rosedale Ave., Soquel, CA 95073
030-242-29	Marisela Martinez Lima and Brandon Lima	2580 Gary Dr., Soquel, CA 95073
030-242-30	Burks-errmann Family Trust	2576 Gary Dr., Soquel, CA 95073
030-242-31	Colleen Fleming 2014 Trust	2570 Gary Dr., Soquel, CA 95073
030-242-32	Jackie Lee-Kang	2564 Gary Dr., Soquel, CA 95073
030-242-33	Amy K. King	2556 Gary Dr., Soquel, CA 95073
030-242-34	Miguel Flores and Salina Flores	2548 Gary Dr., Soquel, CA 95073



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
038-331-07


OWNER:
SEA BREEZE HOMEOWNERS ASSOCIATION

Map Features

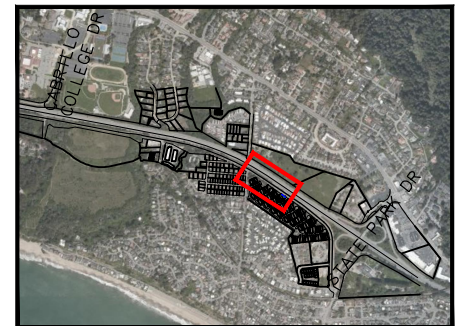
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
175 sqft

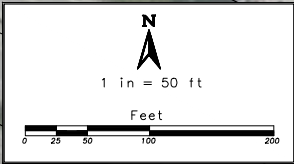
 ACQUISITION: 572 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
038-531-19


OWNER:
SEA BREEZE HOMEOWNERS ASSOCIATION

Map Features

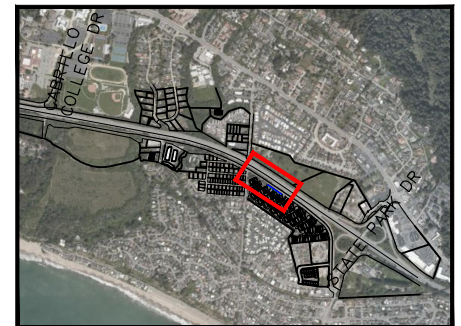
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
1654 sqft

 ACQUISITION: 1006 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
038-311-40


OWNER:
SEA BREEZE HOMEOWNERS ASSOCIATION

Map Features

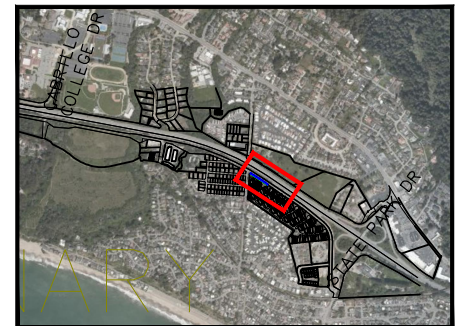
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
1925 sqft

 ACQUISITION: 1403 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
036-274-69


OWNER:
OWNERS OF CA TRACT 604 CAPITOLA
KNOLLS

Map Features

 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
3636 sqft

 ACQUISITION: 1647 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
036-522-30

OWNER:
OWNERS OF CA TRACT 604
CAPITOLA KNOLLS

Map Features

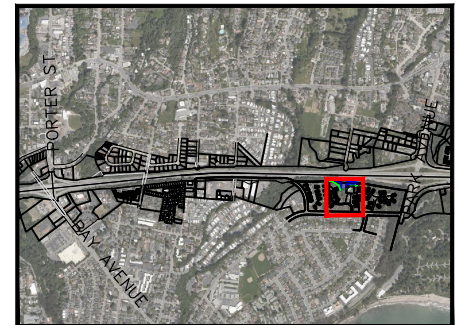
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
1805 sqft

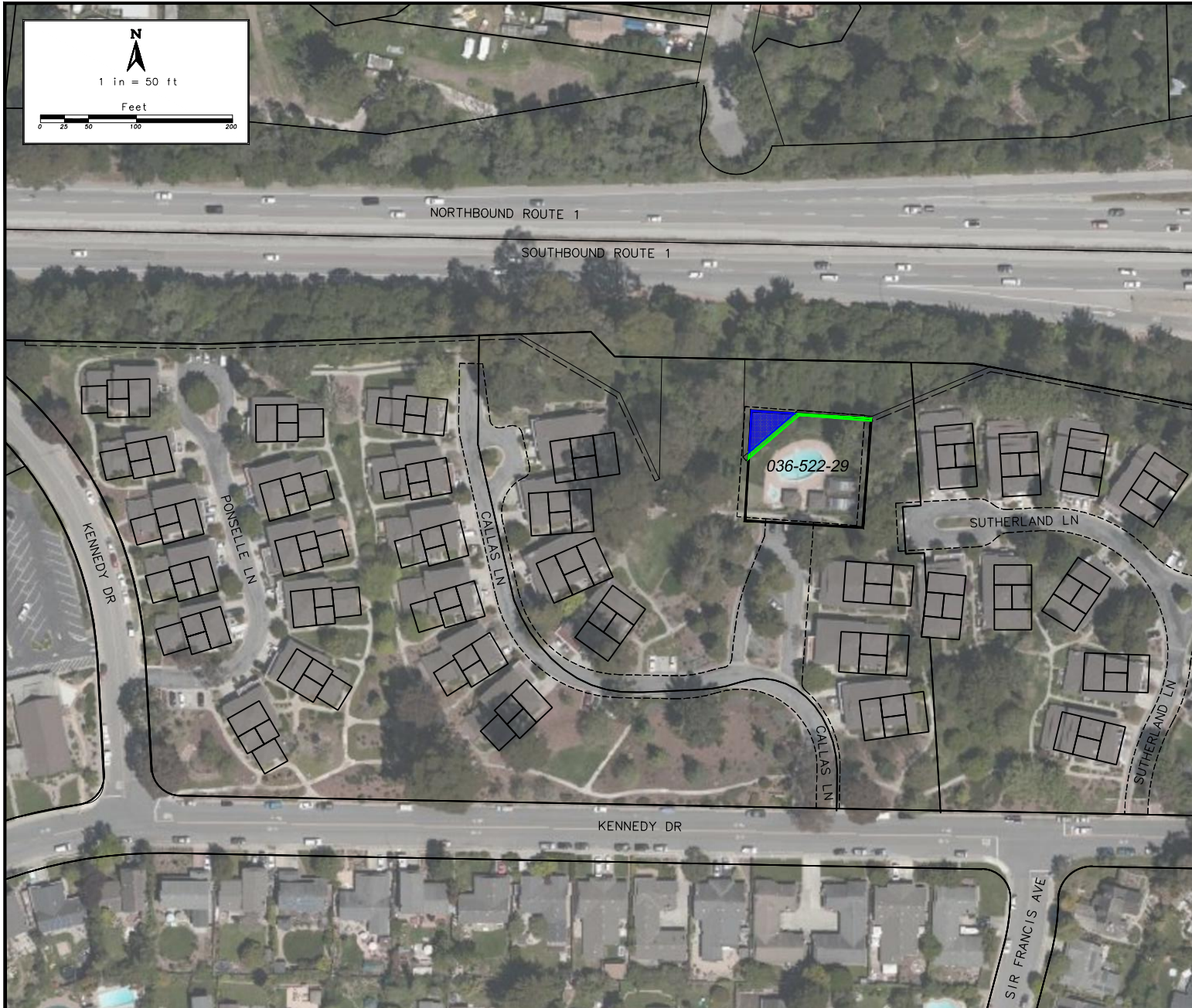
 ACQUISITION: 15995 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
036-522-29


OWNER:
OWNERS OF CA TRACT 604
CAPITOLA KNOLLS

Map Features

 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
470 sqft

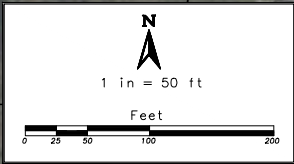
 ACQUISITION: 958 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
036-511-18


OWNER:
OWNERS OF CA TRACT 604
CAPITOLA KNOLLS

Map Features

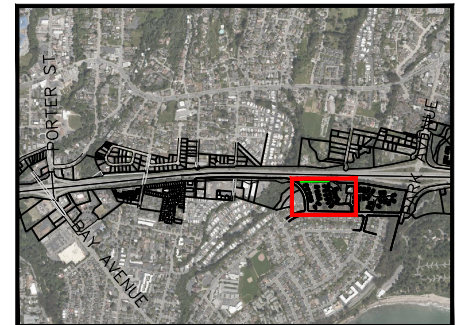
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
2308 sqft

 ACQUISITION: 0 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
030-242-17


OWNER:
GILMORE DIANE LYNNE & SHAN

Map Features

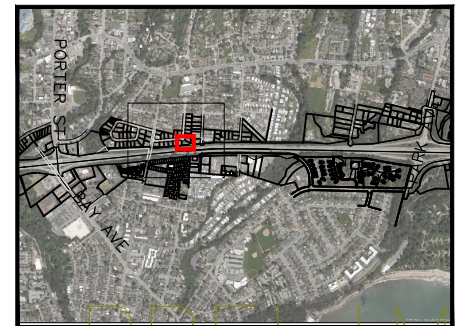
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
69 sqft

 ACQUISITION: 0 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
030-242-29


OWNER:
LIMA BRANDON

Map Features

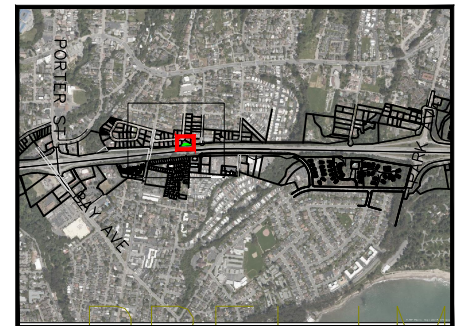
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
683 sqft

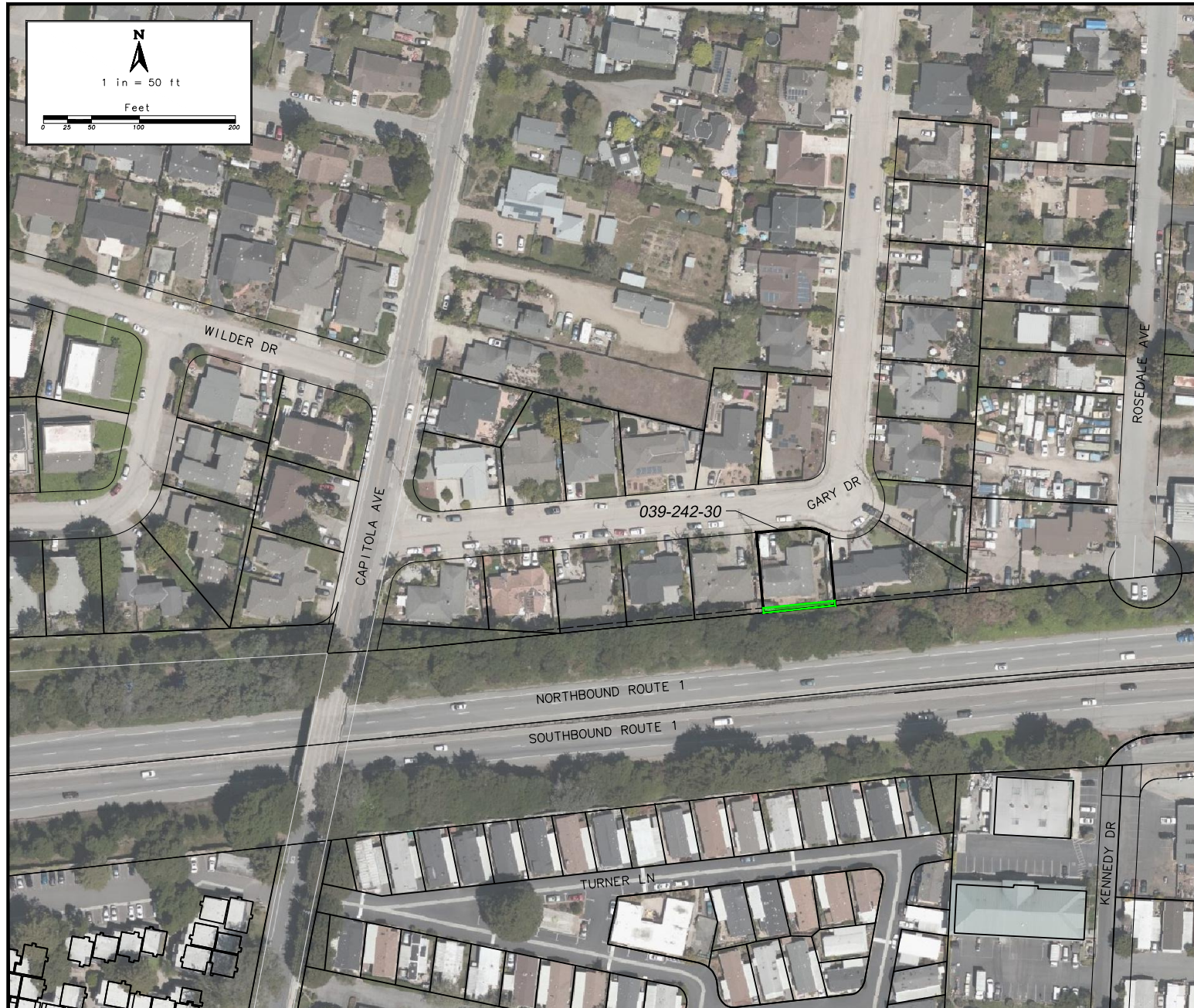
 ACQUISITION: 0 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
030-242-30


OWNER:
HERRMANN JAMES & BURKS

Map Features

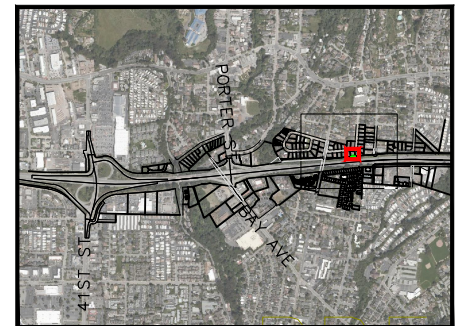
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
375 sqft

 ACQUISITION: 0 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
030-242-31


OWNER:
FLEMING

Map Features

 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
360 sqft

 ACQUISITION: 0 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**

APN:
030-242-32

OWNER:
FRIETAS

Map Features

PARCEL BOUNDARY

PROPOSED IMPACT

TEMPORARY CONSTRUCTION EASEMENT:
355 sqft

ACQUISITION: 0 sqft

INSET MAP



**MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
030-242-33


OWNER:
KING

Map Features

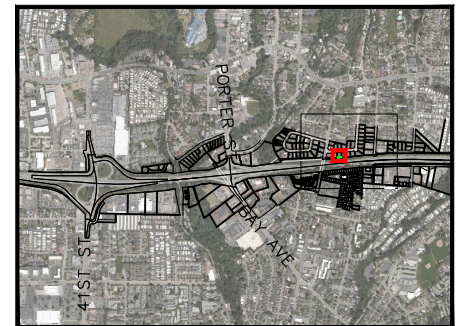
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
350 sqft

 ACQUISITION: 0 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021



**SANTA CRUZ COUNTY
SR-1 AUXILIARY LANES -
STATE PARK DRIVE TO
BAY AVENUE/PORTER STREET**


APN:
030-242-34


OWNER:
FLORES

Map Features

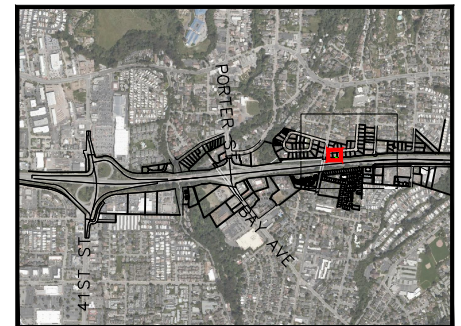
 PARCEL BOUNDARY

PROPOSED IMPACT

 TEMPORARY CONSTRUCTION EASEMENT:
113 sqft

 ACQUISITION: 0 sqft

INSET MAP



 **MARK
THOMAS**

Map Date: 7/13/2021

DS+	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SCR	1	10.5/13.4	217	620

100% DRAFT

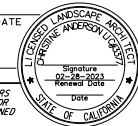
LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS
OR AGENTS SHALL NOT BE RESPONSIBLE FOR
THE ACCURACY OR COMPLETENESS OF SCANNED
COPIES OF THIS PLAN SHEET.

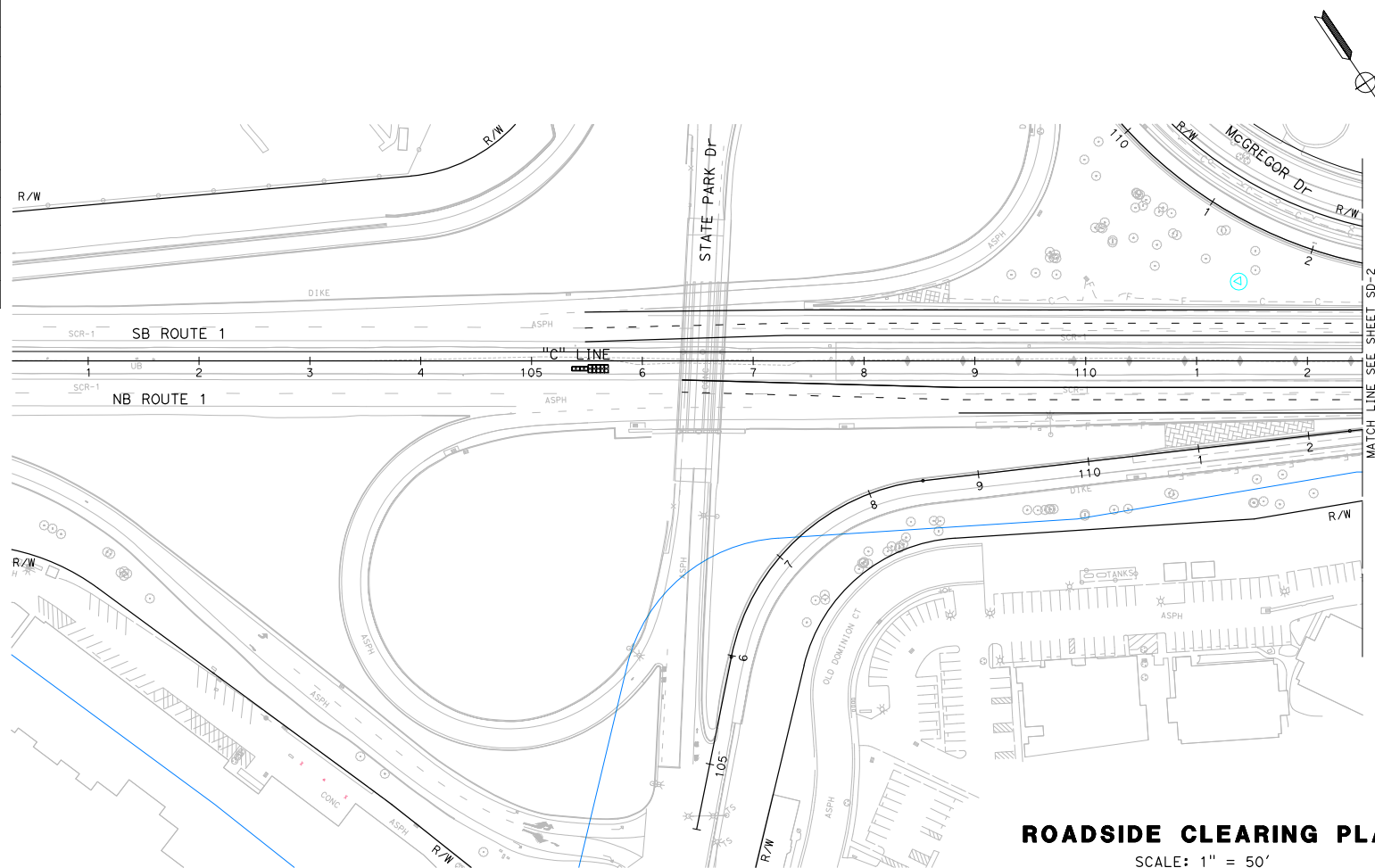
MARK THOMAS
701 UNIVERSITY AVENUE
SUITE 200
SACRAMENTO, CA 95825

SANTA CRUZ COUNTY REGIONAL
TRANSPORTATION COMMISSION
1523 PACIFIC AVENUE
SANTA CRUZ, CA 95060

**LEGEND:**

TREE TYPE & SIZE	EA
OAK: 6"-11"	227
OAK: 12"-23"	88
OAK: >24"	7
TOTAL REMOVED OAKS	322
NATIVE NON-OAK: 6"-11"	66
NATIVE NON-OAK: 12"-23"	36
NATIVE NON-OAK: >24"	11
TOTAL REMOVED NATIVE	113
NON-NATIVE: 6"-11"	58
NON-NATIVE: 12"-23"	29
NON-NATIVE: >24"	3
TOTAL REMOVED NON-NATIVE	90
EXISTING TREE TO REMAIN	

NON-SURVEYED AREA

**ROADSIDE CLEARING PLAN**

SCALE: 1" = 50'

SD-1

BORDER LAST REVISED 7/2/2010

 USERNAME => bore
 DGN FILE => xxxxxxxxxxsd001.dwg

 RELATIVE BORDER SCALE
 15 IN INCHES


UNIT 0000

PROJECT NUMBER & PHASE

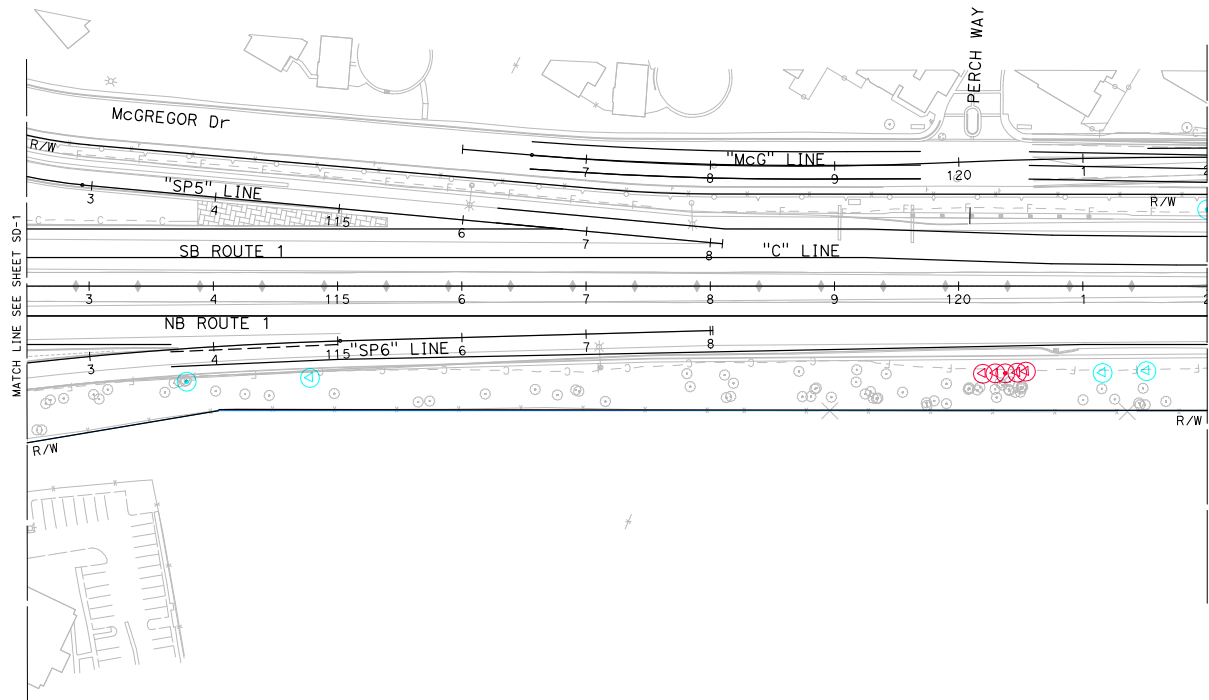
05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SCR	1	10.5/13.4	218	620
100% DRAFT					
LICENSED LANDSCAPE ARCHITECT DATE					
PLANS APPROVAL DATE					
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SANTA CRUZ COUNTY



ROADSIDE CLEARING PLAN

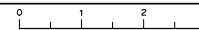
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SD-2

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
15 IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SCR	1	10.5/13.4	219	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE _____

PLANS APPROVAL DATE _____

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SANTA CRUZ, CA 95060

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE _____

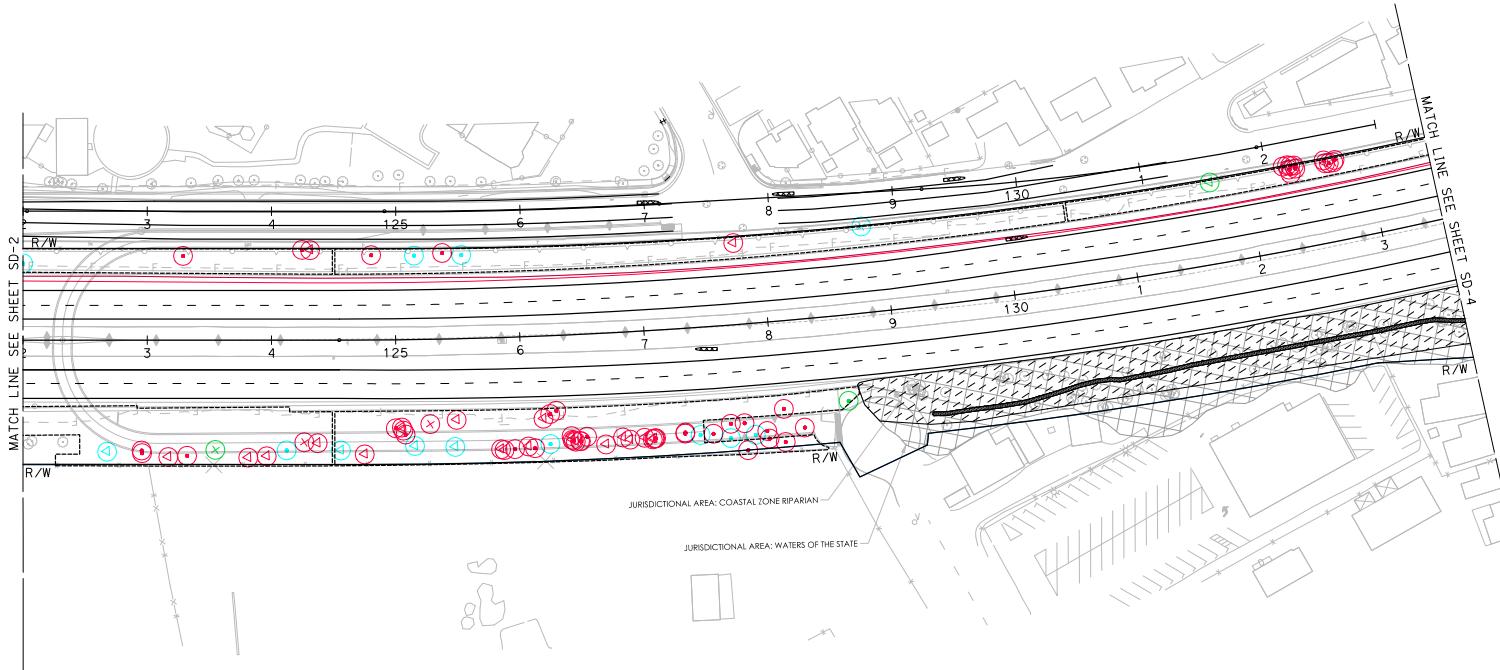
PLANS APPROVAL DATE _____

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SANTA CRUZ COUNTY



ROADSIDE CLEARING PLAN

SCALE: 1" = 50'

SD-3

BORDER LAST REVISED 7/2/2010

USERNAME => bore
DGN FILE => xxxxxxxxxxxx.dwg

RELATIVE BORDER SCALE
15 IN INCHES

0 1 2 3

UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SCR	1	10.5/13.4	220	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

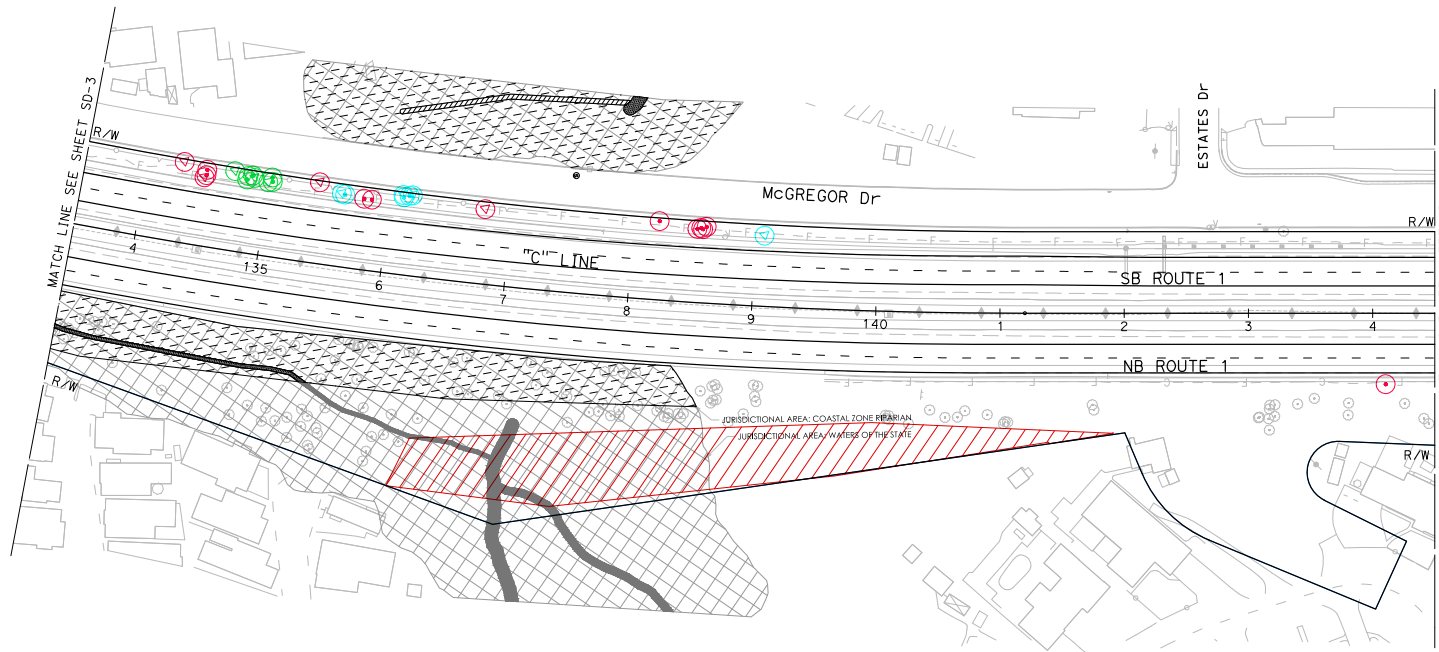
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SANTA CRUZ COUNTY



ROADSIDE CLEARING PLAN

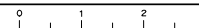
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SD-4

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
15 IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
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100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

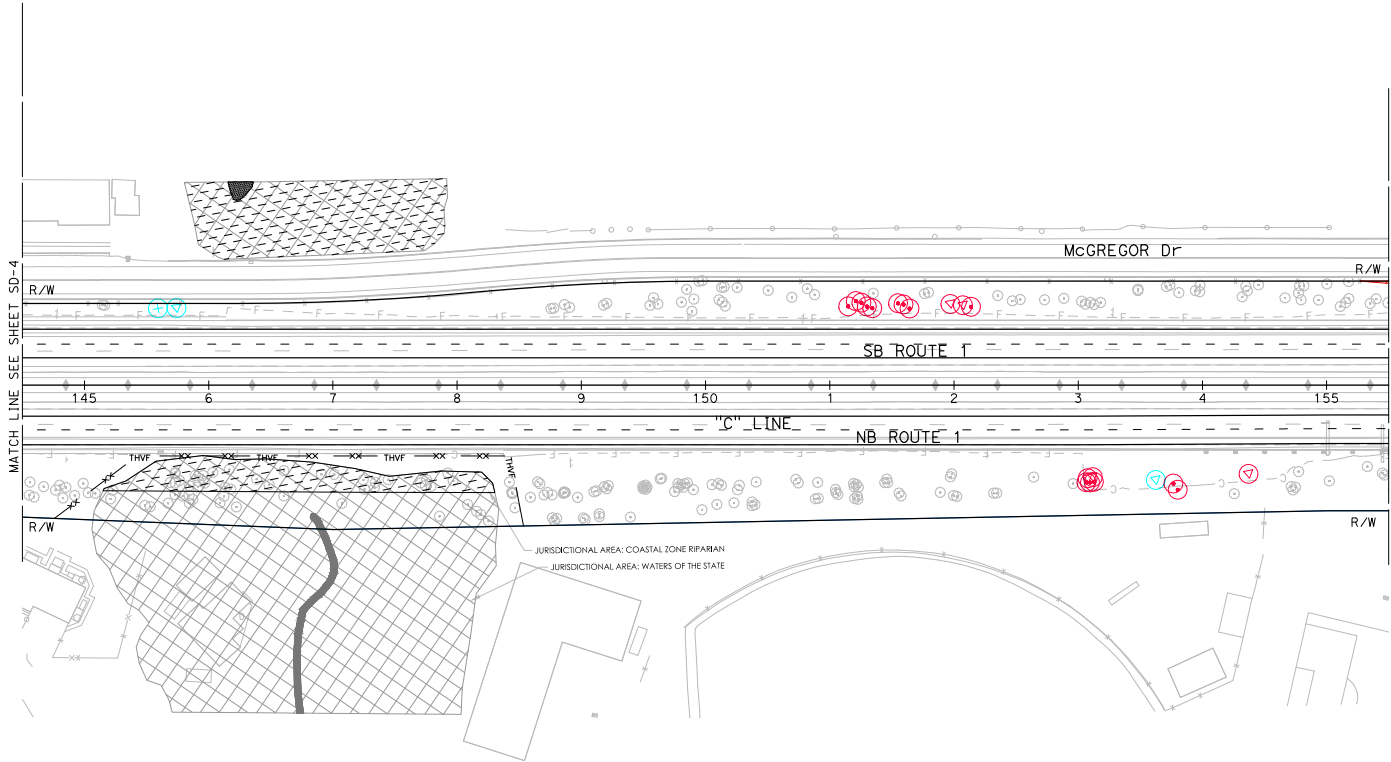
PLANS APPROVAL DATE

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SANTA CRUZ COUNTY



ROADSIDE CLEARING PLAN

SCALE: 1" = 50'

SD-5

BORDER LAST REVISED 7/2/2010

USERNAME => bore
DGN FILE => xxxxxxxxxxxxsd005.dwg

RELATIVE BORDER SCALE
IS IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	SCR	1	10.5/13.4	222	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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100% DRAFT

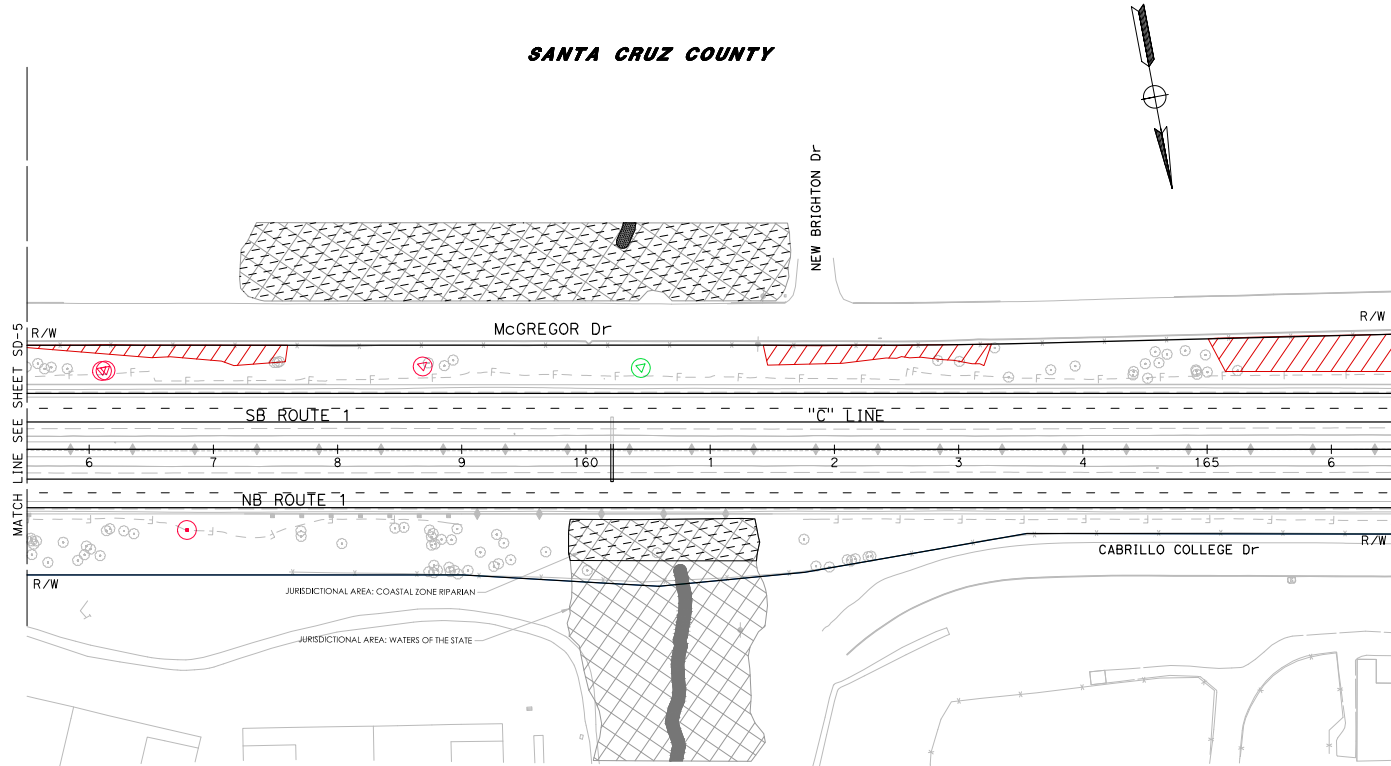
LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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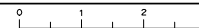
ROADSIDE CLEARING PLAN
SCALE: 1" = 50'

SD-6

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
IS IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	SCR	1	10.5/13.4	223	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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100% DRAFT

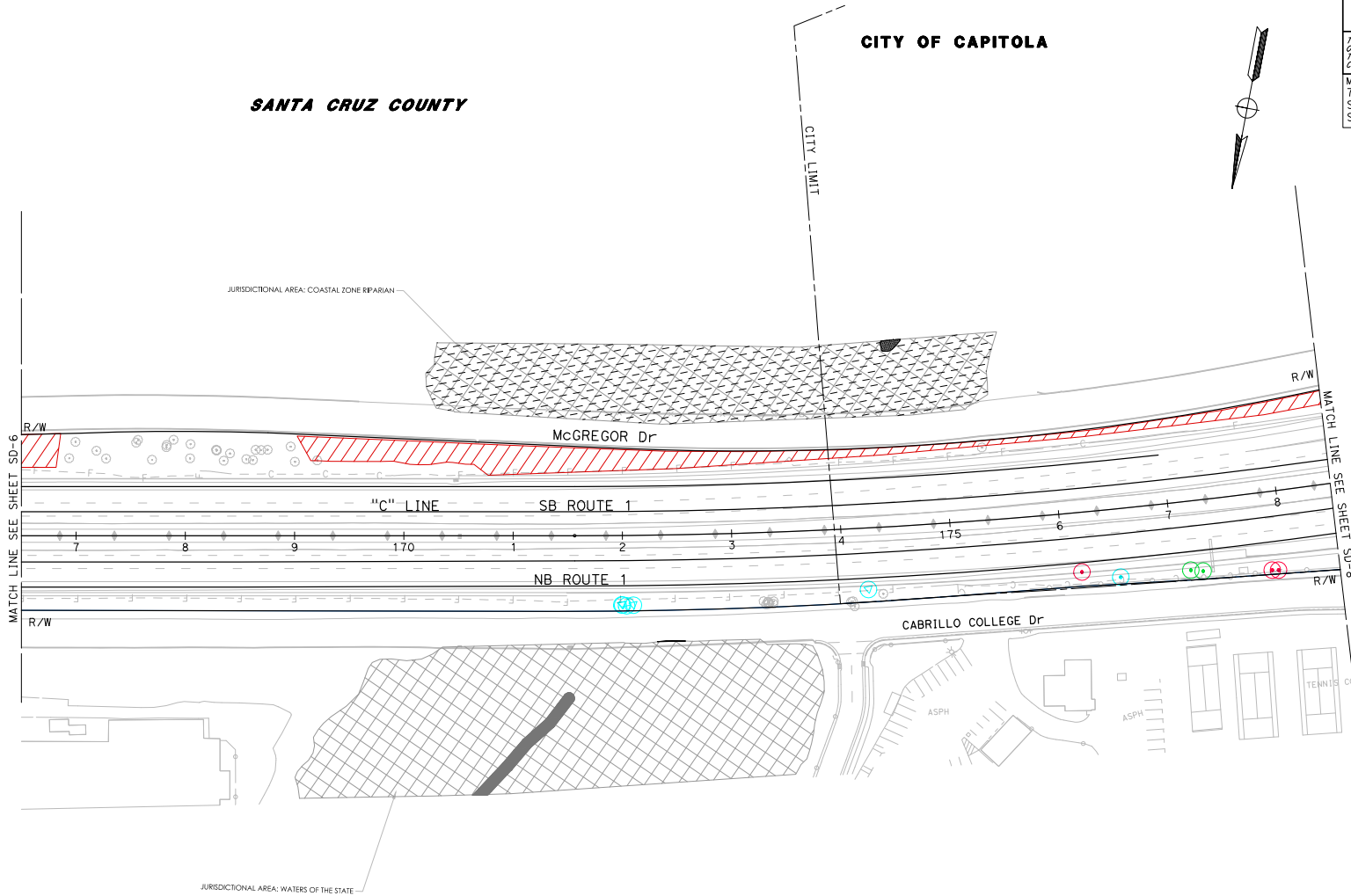
LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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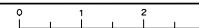
ROADSIDE CLEARING PLAN
SCALE: 1" = 50'

SD-7

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
IS IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SCR	1	10.5/13.4	224	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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SANTA CRUZ, CA 95060

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

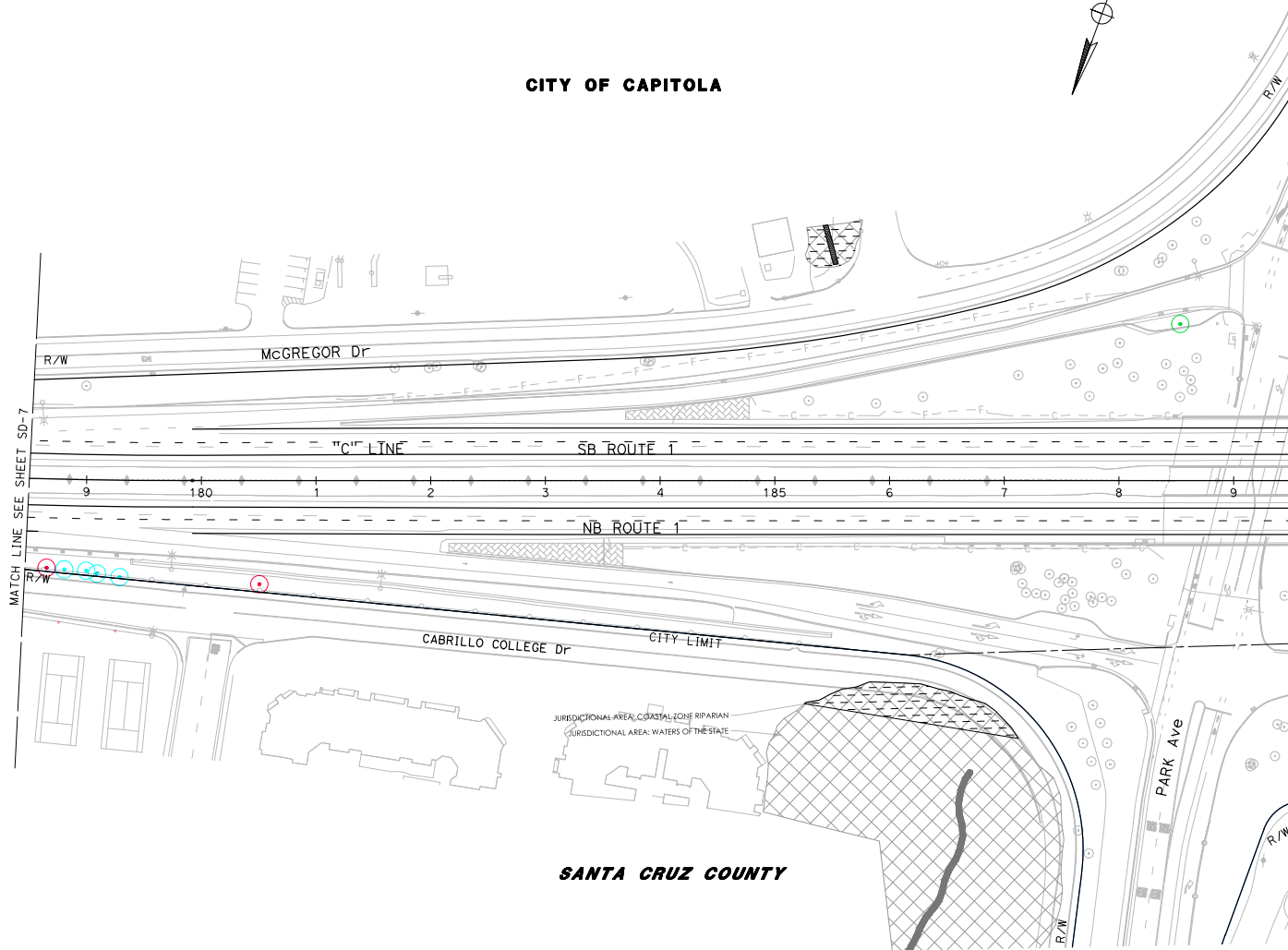
PLANS APPROVAL DATE

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CITY OF CAPITOLA



SANTA CRUZ COUNTY

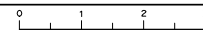
ROADSIDE CLEARING PLAN
SCALE: 1" = 50'

SD-8

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
15 IN INCHES



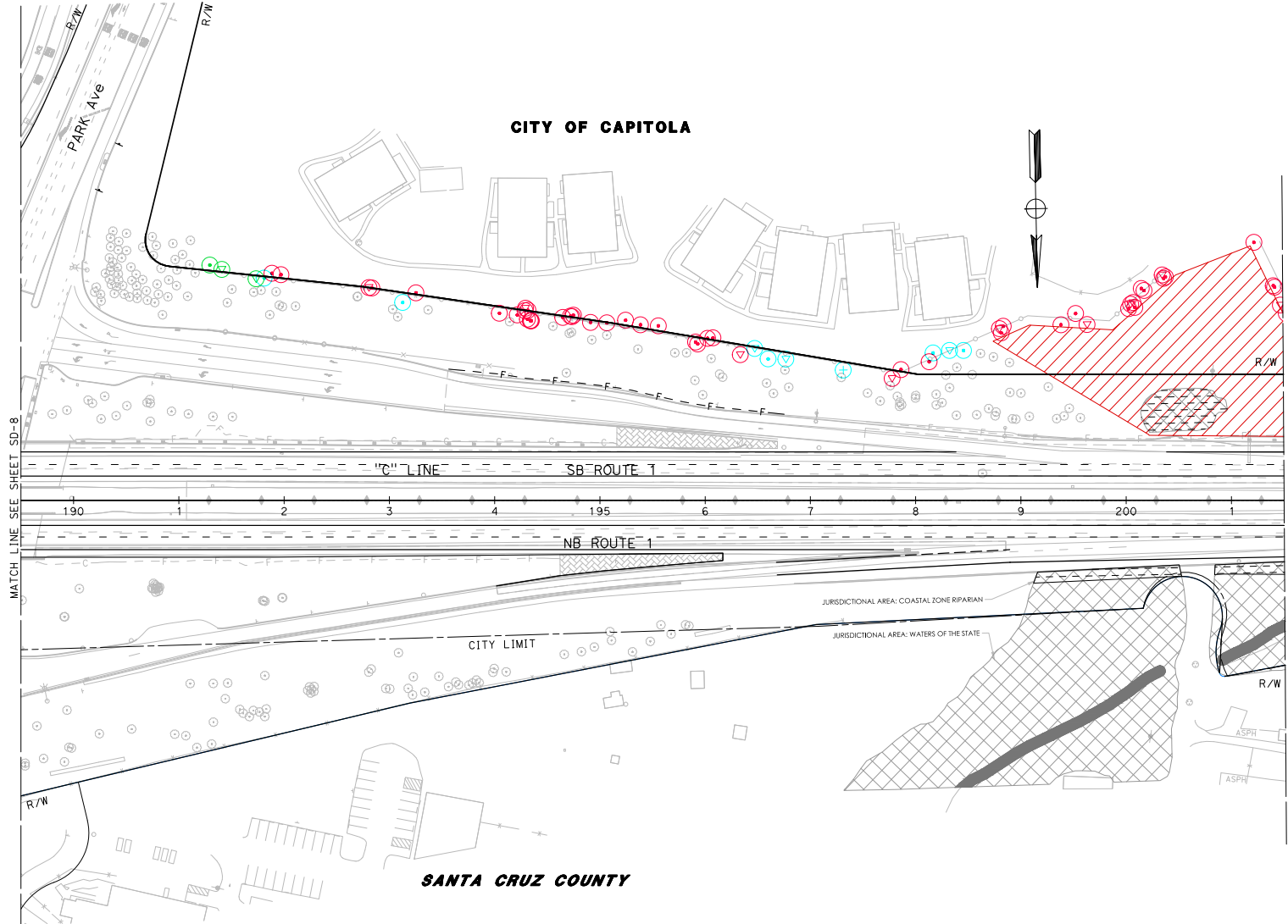
UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SCR	1	10.5/13.4	225	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE _____

PLANS APPROVAL DATE _____

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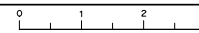
ROADSIDE CLEARING PLAN
SCALE: 1" = 50'

SD-9

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
15 IN INCHES



UNIT 0000

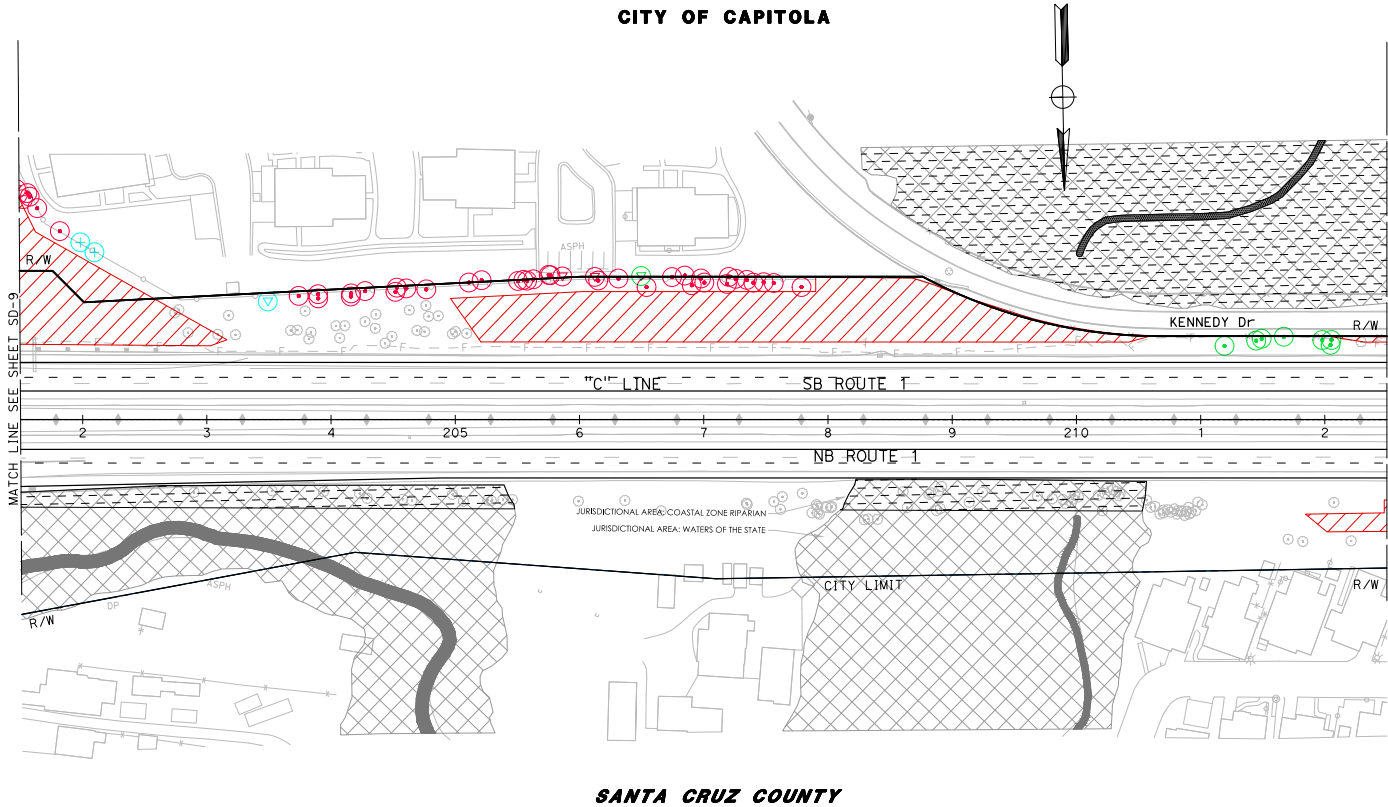
PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	SCR	1	10.5/13.4	226	620
100% DRAFT					
LICENSED LANDSCAPE ARCHITECT DATE					
PLANS APPROVAL DATE					
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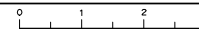
ROADSIDE CLEARING PLAN
SCALE: 1" = 50'

SD-10

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
15 IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	SCR	1	10.5/13.4	227	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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100% DRAFT

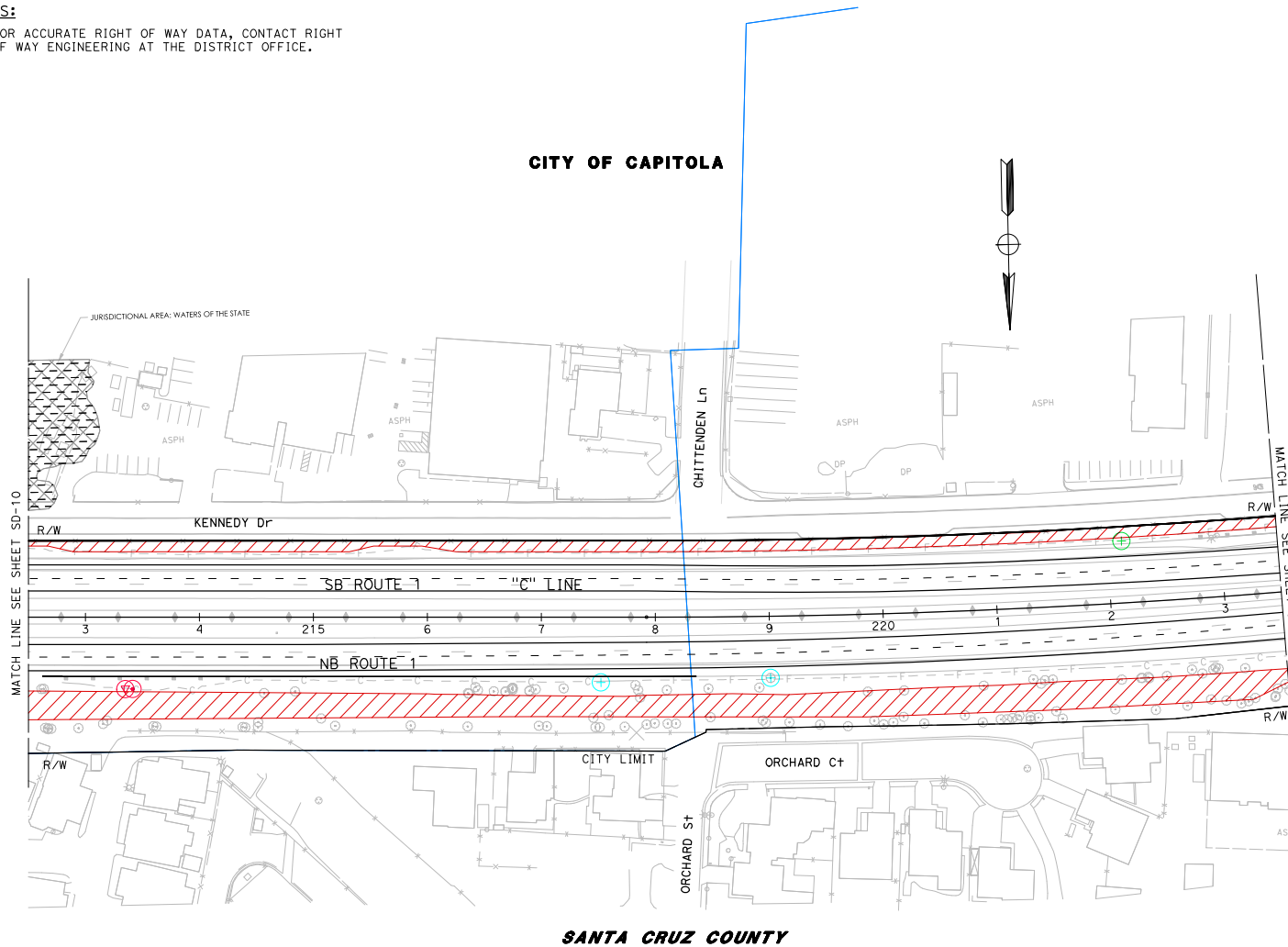
LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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BORDER LAST REVISED 7/2/2010

USERNAME => bore
DGN FILE => xxxxxxxxxxxsd011.dwg

RELATIVE BORDER SCALE
15 IN INCHES

0 1 2 3

UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

CITY OF CAPITOLA



SANTA CRUZ COUNTY

ROADSIDE CLEARING PLAN
SCALE: 1" = 50'

SD-12

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	SCR	1	10.5/13.4	228	620

100% DRAFT
LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

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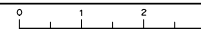
SANTA CRUZ COUNTY REGIONAL
TRANSPORTATION COMMISSION
1523 PACIFIC AVENUE
SANTA CRUZ, CA 95060

STATE OF CALIFORNIA
LANDSCAPE ARCHITECT
No. 38-2003
Renewal Date

BORDER LAST REVISED 7/2/2010

USERNAME => bore
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RELATIVE BORDER SCALE
IS IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SCR	1	10.5/13.4	229	620

100% DRAFT

LICENSED LANDSCAPE ARCHITECT DATE

PLANS APPROVAL DATE

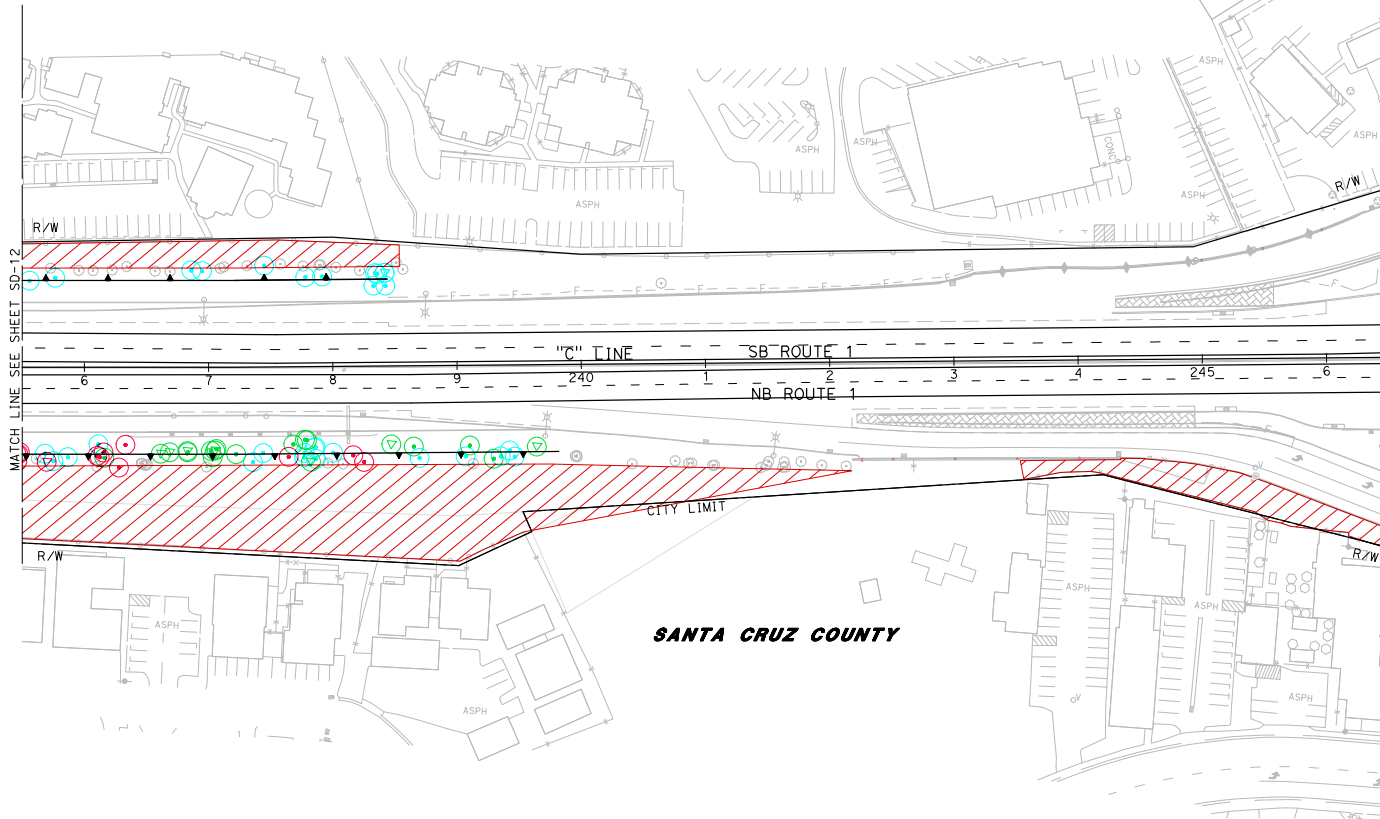
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SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
1523 PACIFIC AVENUE
SANTA CRUZ, CA 95060

LICENSED LANDSCAPE ARCHITECT
LARRY ANDERSON
02-18-2003
RENEWAL DATE

CITY OF CAPITOLA



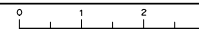
ROADSIDE CLEARING PLAN
SCALE: 1" = 50'

SD-13

BORDER LAST REVISED 7/2/2010

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RELATIVE BORDER SCALE
15 IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161

NOTES:

1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	SCR	1	10.5/13.4	###	620
100% DRAFT					
LICENSED LANDSCAPE ARCHITECT DATE					
PLANS APPROVAL DATE					
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CITY OF CAPITOLA

SANTA CRUZ COUNTY

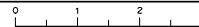
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SCALE: 1" = 50'

SD-13

BORDER LAST REVISED 7/2/2010

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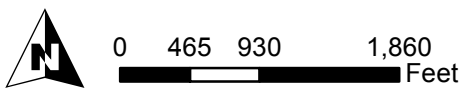
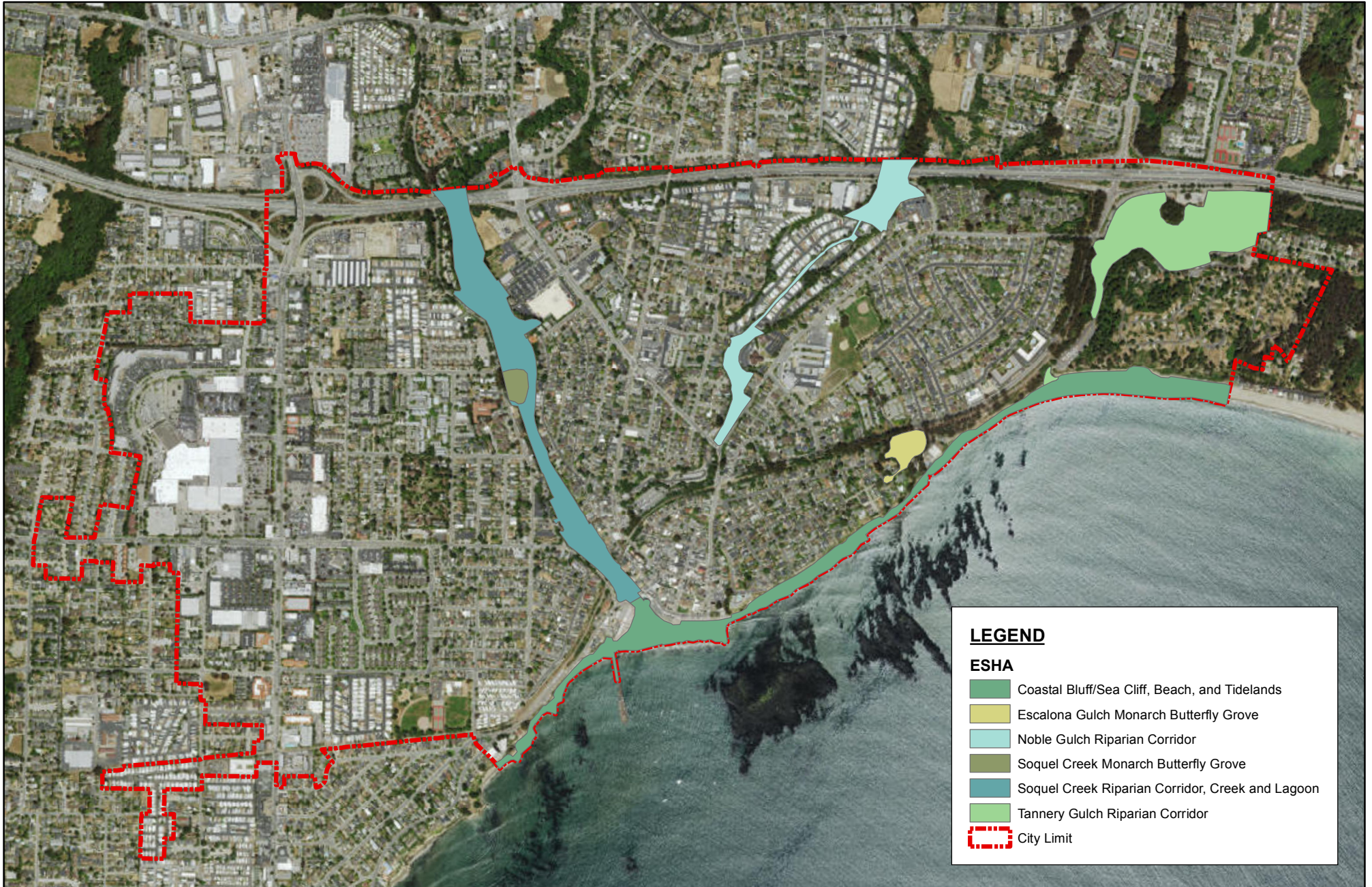
RELATIVE BORDER SCALE
15 IN INCHES



UNIT 0000

PROJECT NUMBER & PHASE

05180001161



Source: ESRI, 2017; Kimley-Horn, 2017.

**Table 2.3 Local Coastal Program Consistency Analysis-City of Capitola
Local Coastal Program (1981; Revised 2005)**

Local Coastal Program Policies	Consistency Analysis: Build Alternative	Consistency Analysis: No-Build (No-Action) Alternative
<p>Policy 1-1. It shall be the policy of the City of Capitola to maintain and enhance access to Capitola Beach, Capitola Village, and Capitola Wharf while maintaining and enhancing the existing character of Capitola Village and the surrounding residential areas. The intensity of new development shall be limited to the availability of parking and other alternative transportation systems, such as a shuttle bus and remote parking.</p>	<p>The proposed project would be consistent with policy 1-1 by easing congestion, reducing delay, providing efficient public transit facilities, and creating and improving pedestrian and bicycle facilities within the project corridor. The project would not obstruct or otherwise adversely affect access to Capitola Beach, Capitola Village, or Capitola Wharf. Temporary street closures would be required within the City of Capitola during construction, including the Park Avenue northbound and southbound on-ramps/off-ramps, the Bay Avenue/Porter Street northbound and southbound on-ramps/off-ramps, and the Capitola Avenue overcrossing. Temporary closures would affect vehicle, pedestrian, and bicycle access on the identified routes; however, detours would be provided to ensure access to Capitola Beach, Capitola Village, and Capitola Wharf is maintained during construction. Ultimately, the project would provide improved access to these resources for bicycles and pedestrians through the improved Capitola Avenue overcrossing, would not prohibit or otherwise adversely affect access to these resources, and would not adversely affect the existing character of Capitola Village. Avoidance and Mitigation Measures VA-1 through VA-5, Avoidance and Mitigation Measures VA 11 through VA-13, and mitigation measures VA-14 through VA-16 would reduce impacts related to vegetation removal. Mitigation measures VA-6 through VA-10 would reduce impacts related to soundwalls and other infrastructure by applying design treatments. The full text of avoidance, minimization, and/or mitigation measures is included in Appendix B.</p>	<p>The No-Build (No-Action) Alternative would be consistent with policy 1-1. The No-Build (No-Action) Alternative would not prohibit or otherwise adversely affect access to Capitola Beach, Capitola Village, or Capitola Wharf or adversely affect the existing character of Capitola Village.</p>

Local Coastal Program Policies	Consistency Analysis: Build Alternative	Consistency Analysis: No-Build (No-Action) Alternative
<p>Policy 1-3. It shall be the policy of the City of Capitola to provide for the protection, preservation, and proper disposition (where necessary) of archaeological, historical, and paleontological resources within the city. This policy shall be implemented in cooperation with the landowners, developers, State Historic Preservation Office, and the [University of California, Santa Cruz] Archaeological Research Center.</p>	<p>The proposed project would avoid known archaeological sites and is therefore consistent with policy 1-3. In the event of an inadvertent discovery, appropriate protocols would be implemented, including work stoppage, until a qualified archaeologist can evaluate the discovery. The proposed project has the potential to result in impacts on paleontological resources. Impacts would be reduced through the development and implementation of a paleontological mitigation plan (monitoring during certain earthwork operations) and other mitigation measures.</p>	<p>The No-Build (No-Action) Alternative would be consistent with policy 1-3 because no ground disturbance or potential impacts on archaeological or paleontological resources would occur.</p>
<p>Policy 2-18. Because of the environmental sensitivity of the natural ecosystem along the creek, the City of Capitola will maintain existing pathways and park sites for public use but will prevent further disruption that might occur because of the expansion of path systems along Soquel Creek.</p>	<p>The proposed project would be consistent with policy 2-18. The proposed changes to the State Route 1 corridor would not alter existing pathways or park sites or create new or expanded path systems within the natural ecosystem of Soquel Creek.</p>	<p>The No-Build (No-Action) Alternative would be consistent with policy 2-18. The No-Build (No-Action) Alternative would not alter existing pathways or park sites or create new or expanded path systems within the natural ecosystem of Soquel Creek.</p>

Local Coastal Program Policies	Consistency Analysis: Build Alternative	Consistency Analysis: No-Build (No-Action) Alternative
<p>Policy 3-1. It shall be the policy of the City of Capitola to maintain the natural features, visual resources, and unique character of the Capitola Village. This includes maintenance of the particular scale and character of Capitola Village, retaining its special ability to serve both Capitola residents and visitors, protecting its natural features and views, and recognizing its historical continuity extending from the Camp Capitola period through the present. A commitment shall be made to maintaining the level of current activity in the Central Village area and/or intensifying activity and increasing capacity only in ways consistent with the current scale and character of Capitola Village.</p>	<p>The proposed project would be potentially inconsistent with policy 3-1. The proposed project would result in visual impacts from vegetation removal, widening the cross section of State Route 1, and building soundwalls and retaining walls, which would range from low to moderate-high levels of visual quality change. Viewers in the corridor would have moderate-high levels of viewer response to changes. Avoidance and Mitigation Measures VA-1 through VA-5, Avoidance and Mitigation Measures VA-11 through VA-13, and mitigation measures VA-14 through VA-16 would reduce impacts related to vegetation removal. Mitigation measures VA-6 through VA-10 would reduce impacts related to soundwalls and other infrastructure by applying design treatments; however, a potential inconsistency would remain. The full text of avoidance, minimization, and/or mitigation measures is included in Appendix B.</p>	<p>The No-Build (No-Action) Alternative would be consistent with policy 3-1. The No-Build (No-Action) Alternative would not alter the natural features, visual resources, or the character of the Capitola Village.</p>
<p>Policy 3-5. Permitted development shall not block or detract from public views to and along Capitola's shoreline.</p>	<p>The proposed project would be consistent with policy 3-5 because it would not obstruct public views of Capitola's shoreline.</p>	<p>The No-Build (No-Action) Alternative would be consistent with policy 3-5 because it would not obstruct public views of Capitola's shoreline.</p>

Local Coastal Program Policies	Consistency Analysis: Build Alternative	Consistency Analysis: No-Build (No-Action) Alternative
<p>Policy 6-3. It shall be the policy of the City of Capitola to maintain the maximum amount of native vegetation along Soquel Creek and other riparian areas, and to strongly support the California Department of Fish and Game in requiring a minimum flow that will support a healthy riparian habitat and permanent fishing resource in Soquel Creek.</p>	<p>The proposed project would be potentially inconsistent with Policy 6-3. The proposed project has the potential to result in temporary and permanent impacts on a riparian forest. Permanent impacts would be limited to about 0.192 acre of riparian forest, 0.185 acre of coast live oak woodland, and 0.028 acre of eucalyptus woodland. Avoidance and Mitigation Measures NC-1 through NC-11 and mitigation measure NC-8 would reduce impacts on riparian and wetland resources. The full text of avoidance, minimization, and/or mitigation measures is included in Appendix B. The project will seek an exception, per Santa Cruz County Code 16.32.100, which would be granted upon approval of the environmental coordinator following a biotic review pursuant to Santa Cruz County Code 16.32.070.</p>	<p>The No-Build (No-Action) Alternative would be consistent with policy 6-3. No native vegetation within the Soquel Creek corridor would be removed or otherwise adversely impacted.</p>
<p>Policy 6-5. The City of Capitola shall, as a condition of new development, ensure that runoff does not significantly impact the water quality of Capitola's creeks and wetlands through increased sedimentation, biochemical degradation, or thermal pollution.</p>	<p>The proposed project would be consistent with policy 6-5. The project would involve the replacement and reconstruction of the existing ditch/toe gutter system to ensure runoff is collected and controlled in a manner that would not result in adverse impacts on water quality. However, construction activities have the potential to generate runoff, which could impact the water quality of nearby creeks. Adherence to Best Management Practices and standard measures HY-1 and WQ-1 through WQ-6 would ensure runoff would not impact water quality.</p>	<p>The No-Build (No-Action) Alternative would be consistent with policy 6-5 because the existing runoff system would remain in place, and no changes would occur.</p>

Build Alternative

As shown in Tables 2.1 through 2.3, the Build Alternative would potentially be inconsistent with policies from the County of Santa Cruz and City of Capitola local coastal programs regarding visual resources, biological resources, wetland and creek protection, and historical resources.

Additionally, the proposed project would be potentially inconsistent with policies from the City of Capitola's local coastal program regarding paleontological resources, natural features, visual resources, native

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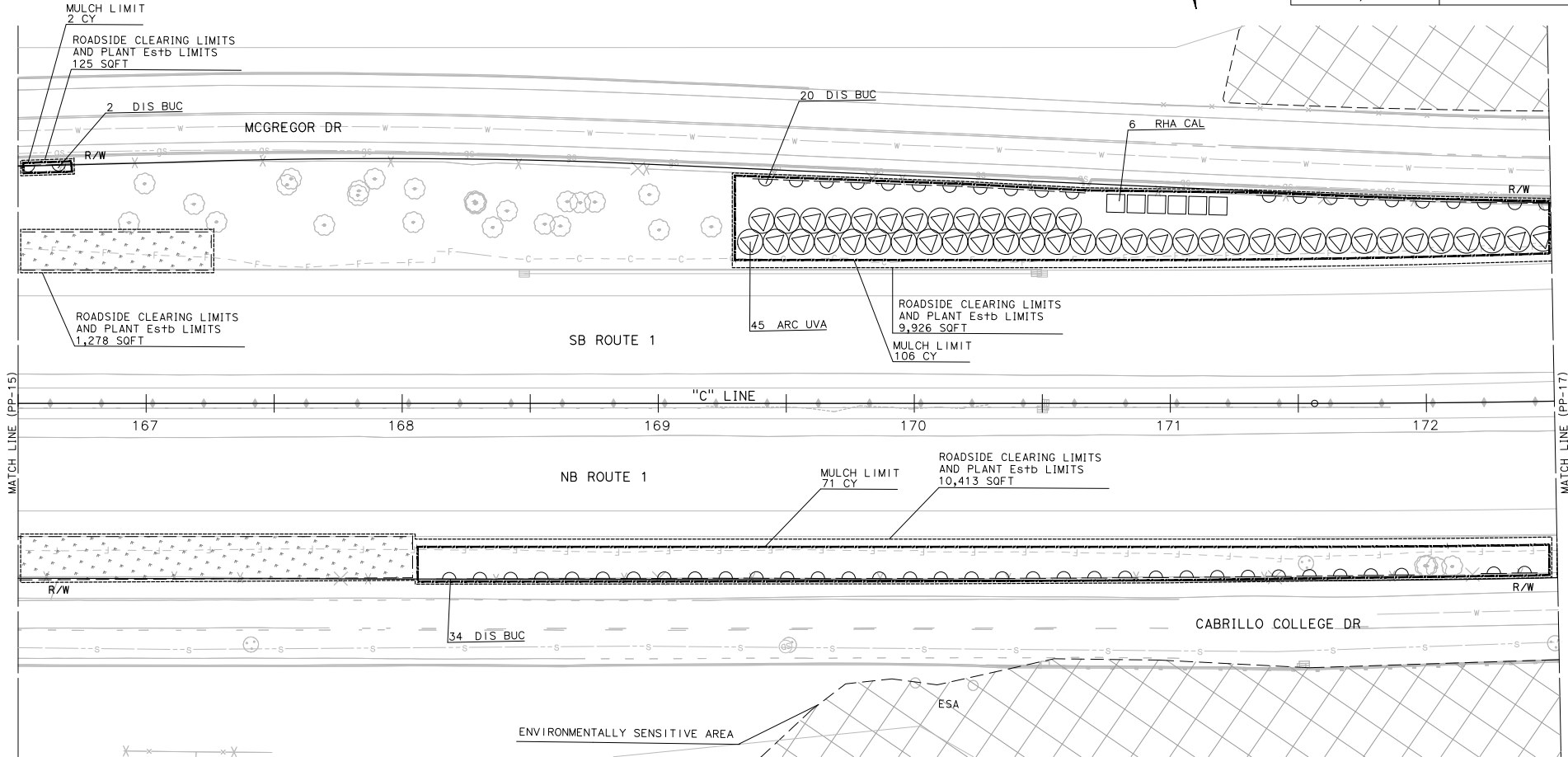
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PP-16

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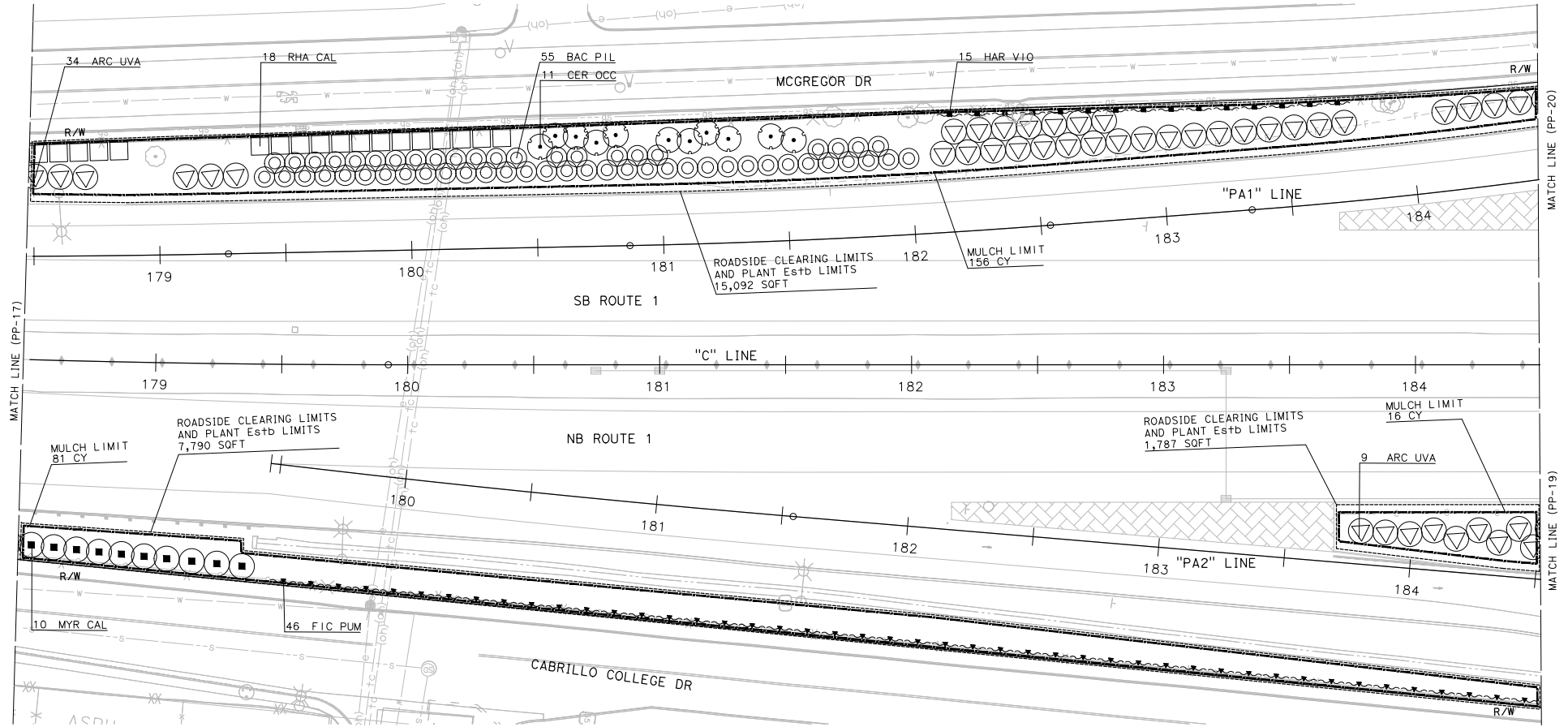
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PP-18

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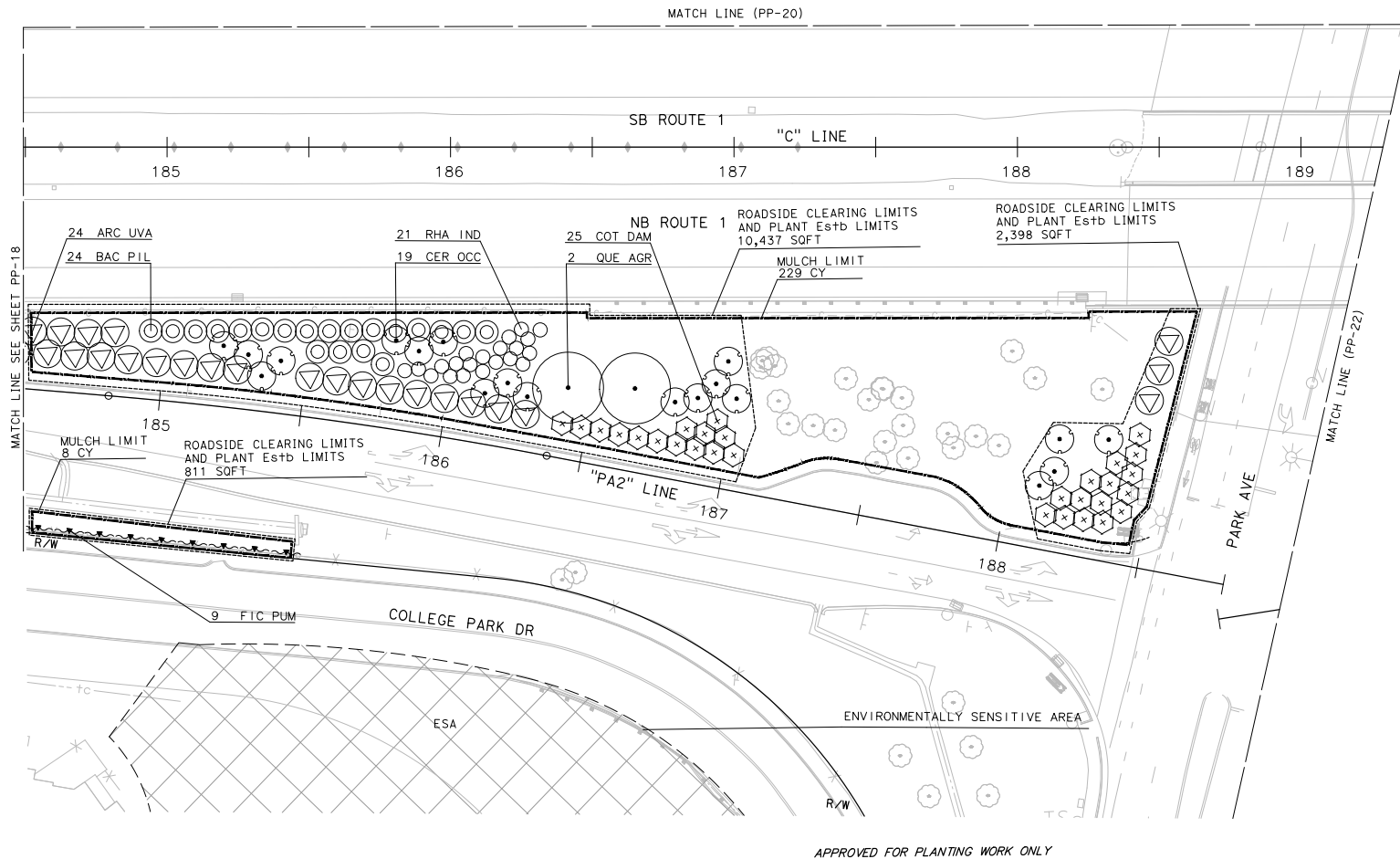
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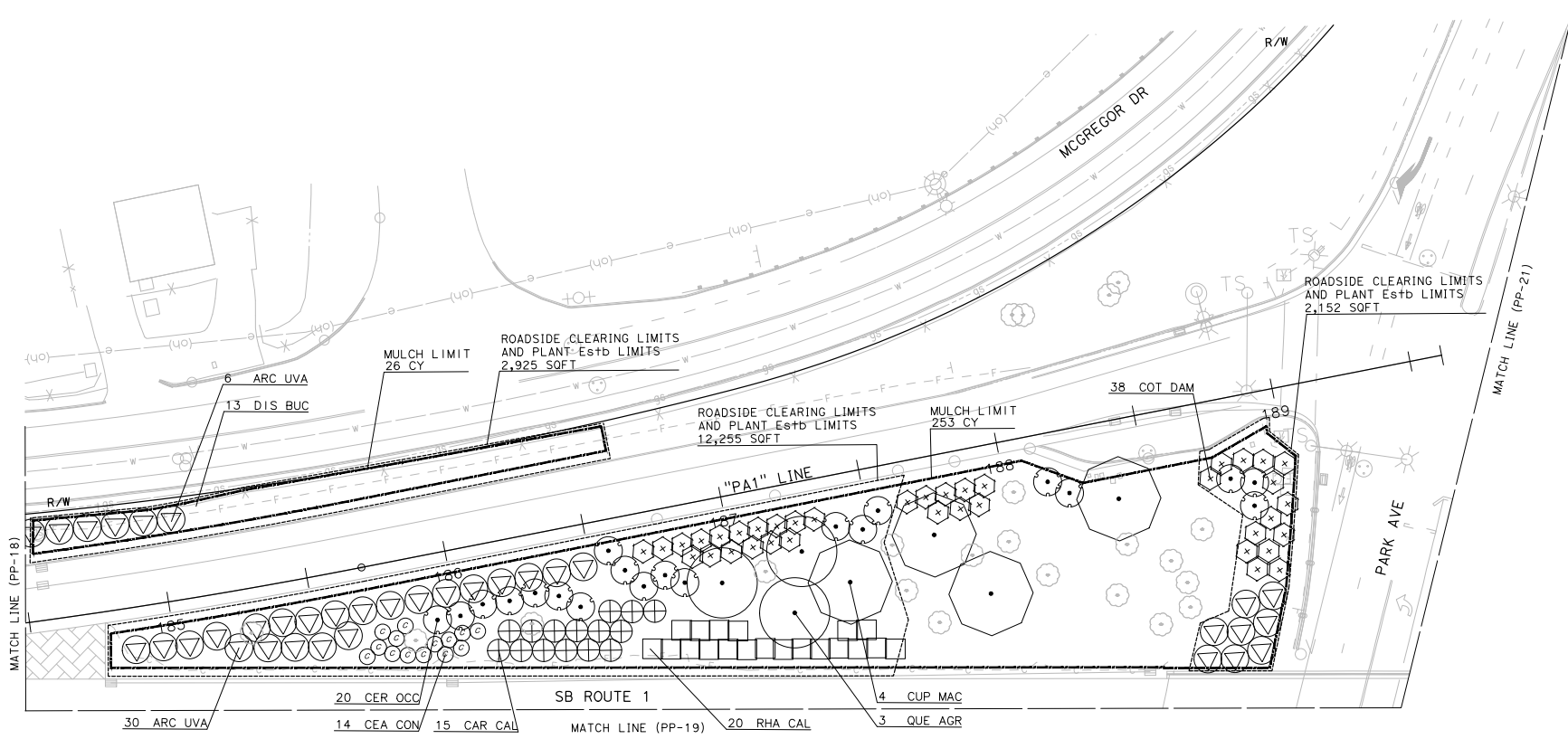
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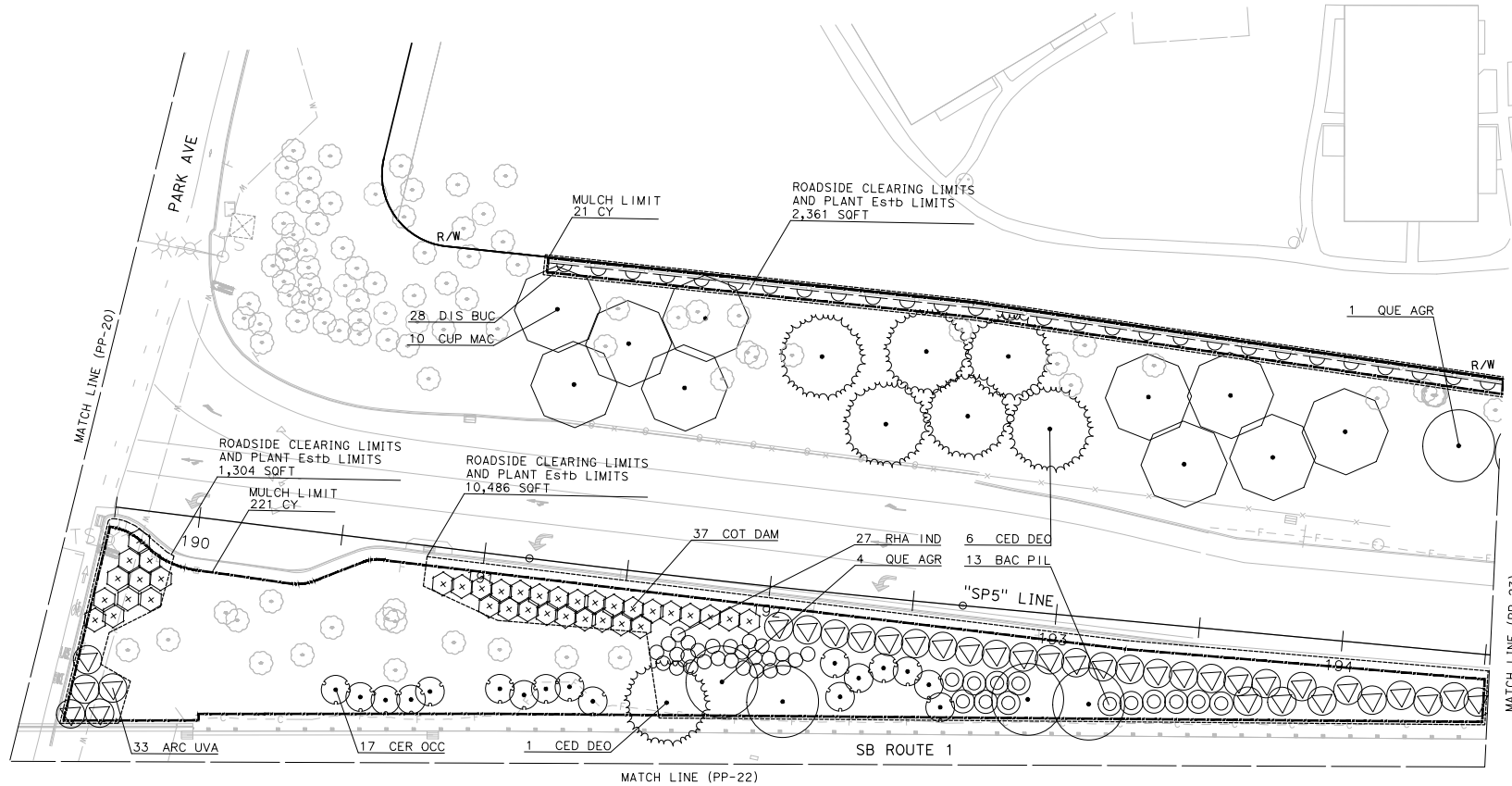
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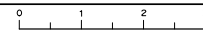
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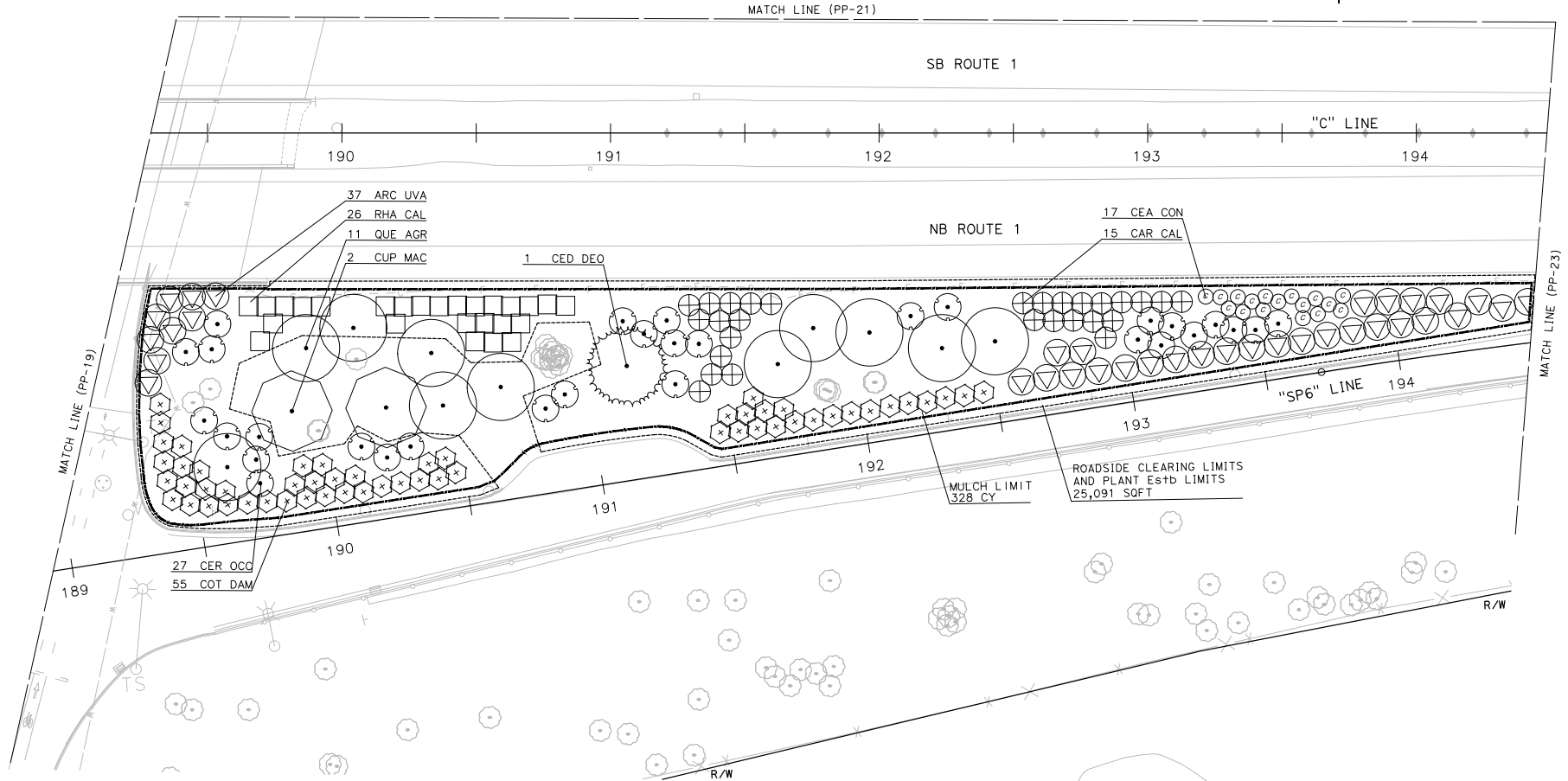
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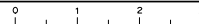
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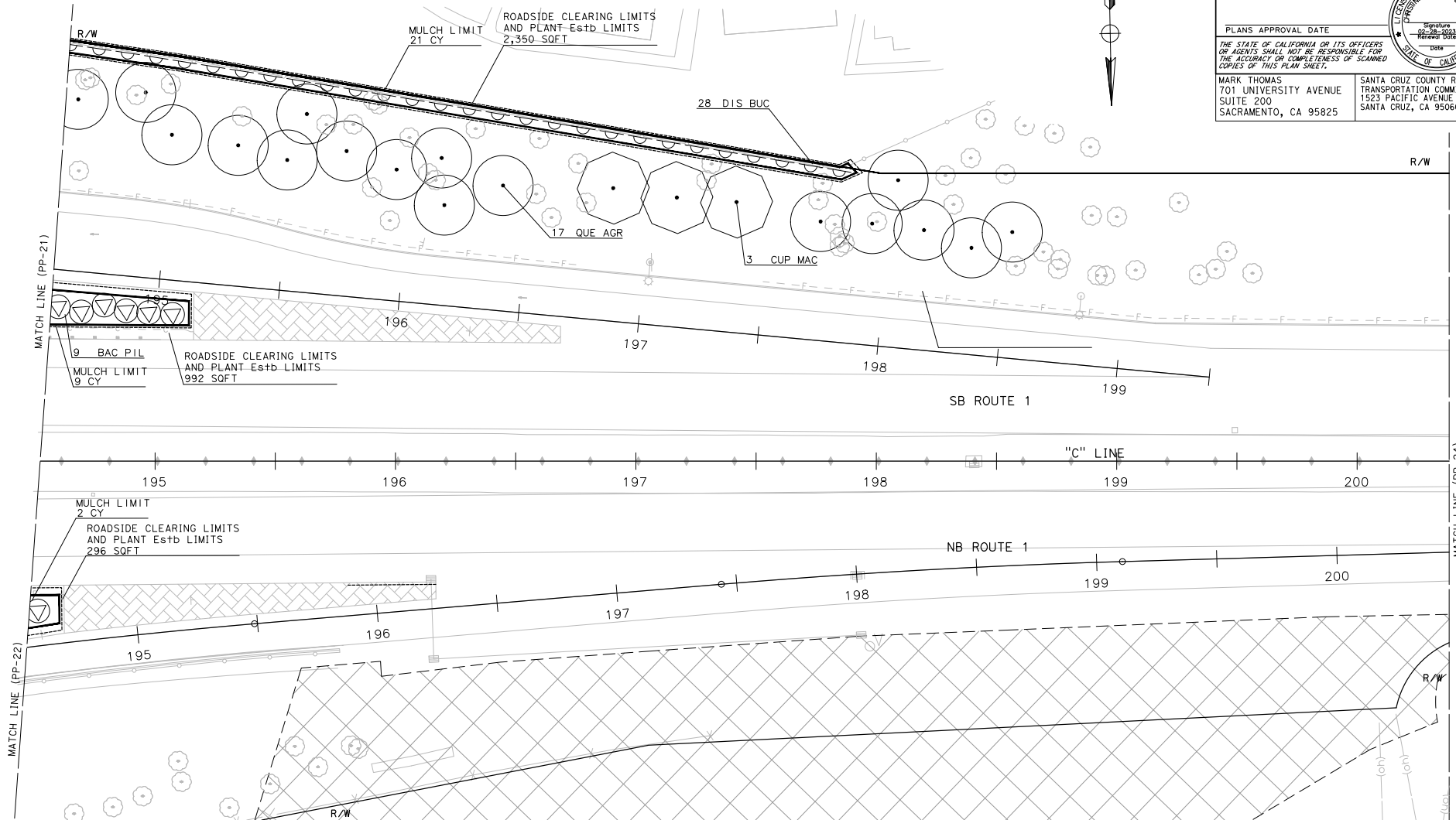
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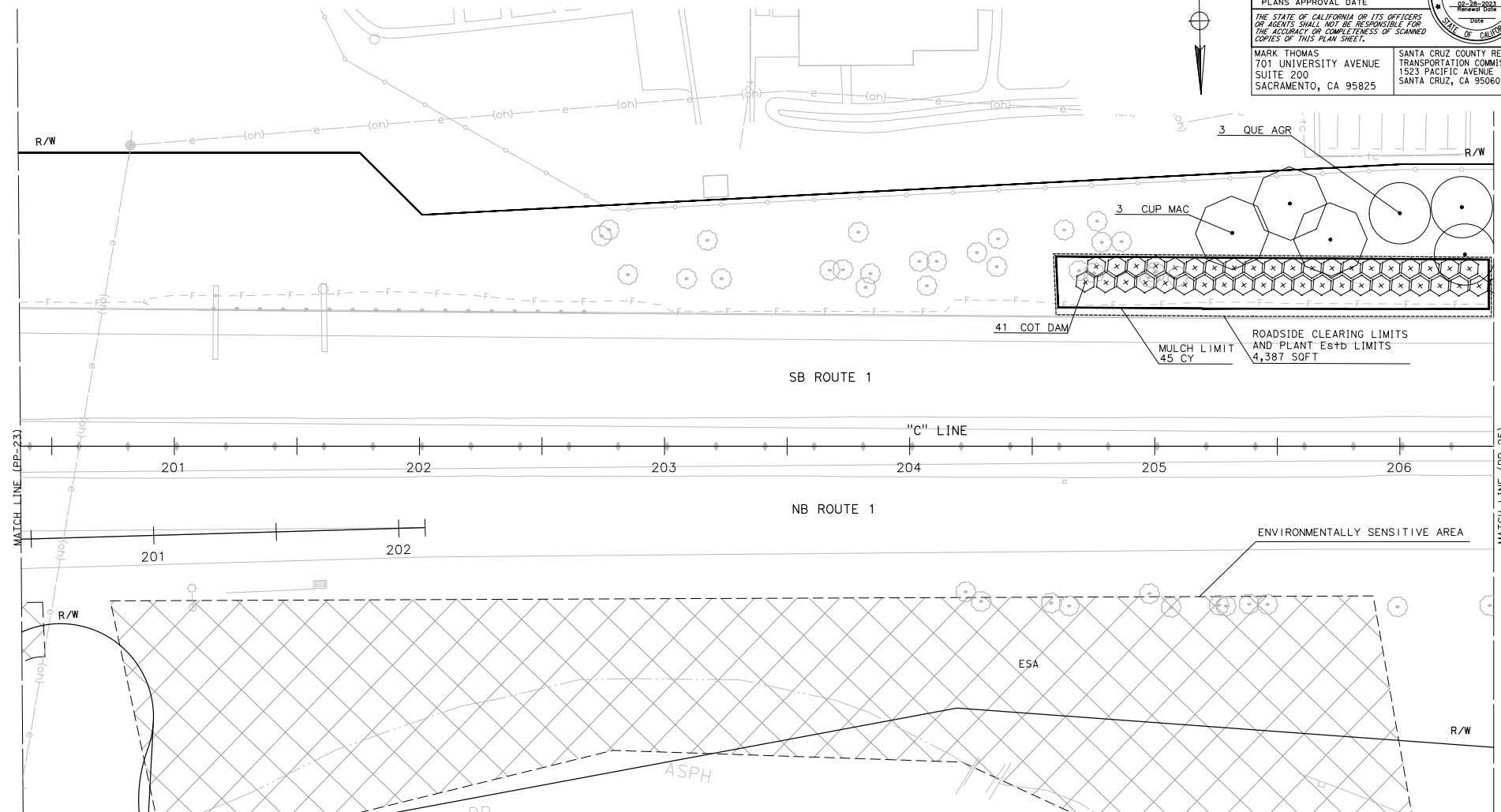
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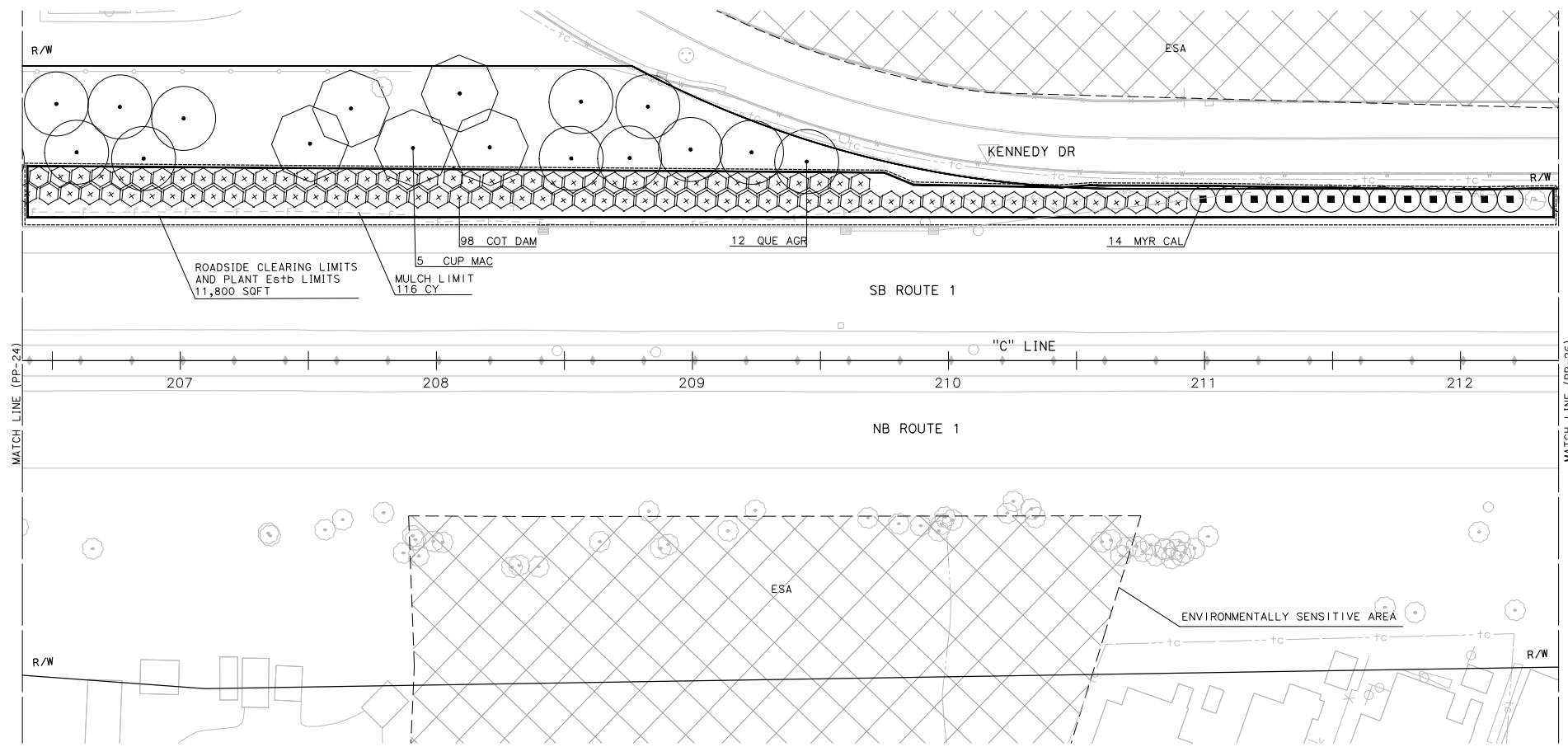
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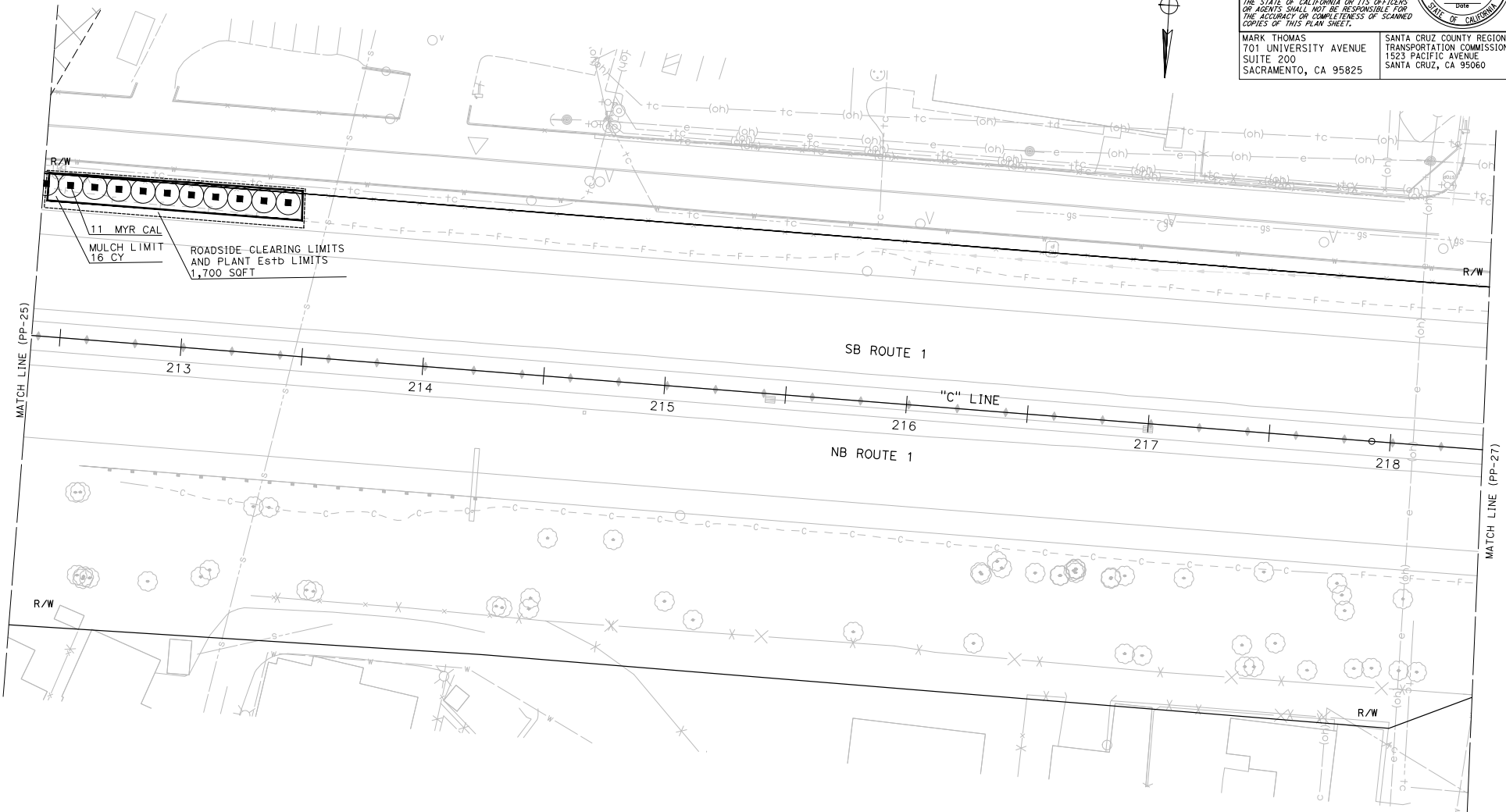
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